

City Clerk File No. Ord. 15.012

Agenda No. 3.A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.012

TITLE:

AN ORDINANCE AMENDING CHAPTER 3, ("ADMINISTRATION OF GOVERNMENT") ARTICLE V, ("OFFICE OF THE CITY CLERK") TO INCLUDE §3-39 STANDARDS FOR NAMING STREETS AND MUNICIPALLY OWNED PROPERTY AND CHAPTER 296 ("STREETS AND SIDEWALKS") ARTICLE VI ("STREET NAME CHANGES") REPEALING SECTION 296-19 IN ITS ENTIRETY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City honors the achievements of local residents and promotes the heritage of the City through the naming, renaming or commemorative designation of streets and municipally owned property, and

WHEREAS, the City of Jersey City has established uniform criteria for the naming, renaming or commemorative designation of streets and municipally owned property; and

WHEREAS, the City of Jersey City has an interest in ensuring that the criteria for naming, renaming or commemorative designation of streets and municipally owned property be a high standard so as to protect the integrity of the City;

WHEREAS, it has become apparent that amendments to the City's street naming protocol needs to be expanded to include all and municipally owned property name protocol are necessary so as to effectuate the Ordinance's purpose.

A. The following amendments and supplements to Chapter 3 (Administration of Government) Article V (Office of the City Clerk) are hereby adopted:

§ 3-39 Standards for naming streets and municipally-owned property

A. Definitions

"Designation" means providing an additional, commemorative name designation, subordinate to the original name designation, of a public thoroughfare over which the City has jurisdiction.

"Municipal Council Street-Name Subcommittee" means the ad hoc subcommittee charged with reviewing applications for commemorative street names and identifying a list of pre-approved names for new streets to be constructed in Jersey City.

"Municipally Owned Property" means (a) Buildings and Structures, including overpasses, bridges and viaducts and any similar structure; (b) Real Property, including open spaces and parks; and (c) Interior features of any Municipally Owned Property.

"Naming" means providing an original name designation to a municipally owned property or public thoroughfare over which the City has jurisdiction.

"Renaming" means changing an original name designation of a municipally owned property or public thoroughfare over which the City has jurisdiction to a different name.

"Streets" means any public thoroughfare over which the City has jurisdiction including, but not limited to, those public thoroughfares known as streets, avenues, lanes, and boulevards.

B. Procedure for commemorative designation of streets and municipally-owned property

1. Any person or organization seeking a commemorative street name designation shall file a street designation request form with the City Clerk. The completed form shall include the requested name to be commemorated, the reason for the commemoration, the existing street number or name, the length of the requested commemorative designation, i.e. Montgomery Street from West Side Avenue to Bergen Avenue, and the exact number of commemorative street signs to be added.

In the case of a commemorative street designation honoring an individual or an organization, all supporting documentation used to support an application to honor that individual or organization must be authenticated and must be attached to the application.

In the case of a commemorative street designation honoring an individual, the applicant seeking the commemorative designation must conduct an independent background check on the individual, if possible, before submitting a request to dedicate the street. The cost of the background check must be borne by the applicant.

2. The street dedication request form shall be accompanied by a petition signed by at least seventy-five percent of the recorded property owners on the street proposed for the commemorative designation, and should include written letters of support or recommendation from applicable community groups.

3. The City Clerk shall refer the completed street dedication request form, with completed petitions and all additional supplemental materials to the Street-Name Subcommittee which will consist of three (3) Municipal Council representatives or their designees, one (1) of whom will be the ward Councilperson in whose ward the street to be designated is located, the Director of City Planning or his or her designee, the Director of Cultural Affairs or his or her designee, the Director of Public Safety or his or her designee and the Mayor or his or her designee. The Subcommittee will meet as necessary to review commemorative street name applications. If the request is approved by the Subcommittee, the application will be brought before the Municipal Council for final approval.

4. If approved, signs identifying the commemorative name designation shall be placed underneath the primary street name sign.

C. Standards for commemorative designation

1. The authority to designate any street or municipally owned property in Jersey City shall remain solely with the Municipal Council.

2. A proposed commemorative name shall meet all applicable standards and requirements established by Sections C.2.b of this section, provided however, that if for any reason the requesting party cannot meet these standards, a letter requesting a waiver of these standards, showing a good cause justification therefore, shall be provided by the requestors.

a. A proposed commemorative street or municipally owned property designation shall:

- (1) Honor a person, organization, corporation, foundation, or similar entity that has made a significant contribution to the City of Jersey City; or
- (2) Reflect the geographic location, community, and the unique characteristics of the area or neighborhood; or
- (3) Recognize the historical significance of the area or neighborhood.

b. Requirements

The following standards shall apply to the review and approval of any proposed commemorative name:

- (1) Prospective individual honorees should have a minimum of 15 years of community involvement and should have demonstrated an extraordinary and consistent commitment and dedication to Jersey City. Prospective organizational honorees must have a minimum of 30 years of community involvement in Jersey City.
- (2) Prospective organizational honorees must be not-for-profit organizations.
- (3) If a proposed commemorative street designation will recognize a prospective individual honoree, with rare exception, the individual must have been deceased for at least three (3) years.
- (4) The Subcommittee will not consider an application to designate a street for an individual or organization already honored in a similar fashion, i.e. a person or organization having a park, monument or public building already named after him or her in Jersey City.
- (5) A person, organization, foundation, or similar entity that has made significant contributions to the State of New Jersey or to the United States may be considered, but there should be, if possible, some relevant connection to Jersey City.
- (6) The Subcommittee may deny approval of an application at its sole discretion. If an application is denied by the Subcommittee, the original applicant may not reapply on behalf of the prospective honoree for 5 years from the date of the denial.
- (7) Commemorative names should be unique, and unlikely to cause confusion or misunderstanding due to duplication of, or similarity with, an existing name, location, or other street name within Jersey City. Near duplications in spelling or street names that are phonetically similar to existing street names shall not be approved.
- (8) Street names shall not contain more than three (3) words or exceed seventeen (17) characters in length, including spaces between words and excluding the street type, i.e. "avenue" or "street".
- (9) No street can have more than two commemorative street designations.
- (10) If a portion of a street is proposed to be commemoratively designated, the designated portion shall begin and end at the intersections of major cross streets.

- (11) The cost of producing and installing appropriate signs designating the commemorative name shall be paid by the original requestors.

D. Standards for re-naming streets and municipally-owned property

The re-naming of streets and municipally owned property is discouraged and will only be allowed in exceptional circumstances and be considered within the context of the historical and or community significance of the existing name.

E. Standards for naming new streets

1. The authority for the naming new streets constructed in Jersey City shall remain solely with the Municipal Council.
2. The Street-Name Subcommittee will identify fifty (50) potential names for the pre-approved street names list. A list of suitable names will be presented to the Departments of Planning and Public Safety for review within 120 days of the adoption of this Ordinance.
3. A final list of pre-approved street names will be presented to the Municipal Council within 30 days of being reviewed by the Departments of Planning and Public Safety.
4. The pre-approved list of suitable street names will be available in the Division of City Planning. The pre-approved list will contain names that honor people who have made significant contributions to the City of Jersey City, or names which reflect the history, geographic location or unique characteristics of Jersey City. Developers building new streets are to pick from the names on this pre-approved list.
5. Individuals seeking to designate a street may, at their discretion, ask instead that the Subcommittee add the commemorative name to the list of pre-approved street names.
6. If a developer constructing a new street does not wish to pick from the list of pre-approved street names, the developer may ask the Subcommittee for a waiver to submit his or her own suggested street name(s), but the authority to name City streets shall remain with the Municipal Council and the developer's suggested name(s) must conform with the requirements of Section C of this ordinance. The Subcommittee and the Municipal Council reserve the right to reject any proposed new street name.
7. Each new street must be named by separate Ordinance and as each name is chosen from the list of pre-approved street names, that name shall be removed from the list by the City Clerk. Once a name is chosen from the pre-approved street name list, that name shall not be reused for any other street.
8. In the event that the City vacates a street and the vacated street is intended to remain, either in whole or in part, as a vehicular thoroughfare, it shall be a condition of approval that the street name be selected from the pre-approved street name list.

F. Standards for naming new municipally-owned property

1. The authority for the naming new municipally owned property constructed in Jersey City shall remain solely with the Municipal Council.
2. The City Council may choose to make its selection after receiving a written recommendation from any one of the city's advisory boards, including the Street-Name Subcommittee, or such other advisory board established for such purpose.

3. Such recommendation for naming a municipally owned property shall state how the proposed name(s) meet(s) with the criteria set forth in subsection C of this Chapter.

4. Each new municipally owned property must be named by separate Ordinance.

5. Upon approval of a name for a new municipally owned property, a copy of the Ordinance shall be forwarded to the Division of City Planning and Architecture for design of the appropriate signage and placement thereof.

- B. The following amendment to Chapter 296 (Streets and Sidewalks) Article VI (Street Name Changes) repealing Section 296-19 is hereby adopted:

§296-19 Repealed in its entirety

- C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- D. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- E. This ordinance shall take effect at the time and in the manner as provided by law.
- F. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted. For purposes for advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

**AN ORDINANCE AMENDING CHAPTER 3, ("ADMINISTRATION OF GOVERNMENT") ARTICLE V, ("OFFICE OF THE CITY CLERK") TO INCLUDE §3-39 STANDARDS FOR NAMING STREETS AND MUNICIPALLY OWNED PROPERTY
and
DELETING §296-19, STREET NAME PROTOCOL FROM CHAPTER 296, ARTICLE V.**

Initiator

Department/Division	Municipal Council	
Name/Title	Joyce Watterman	Councilwoman
Phone/email	(201)-547-5134	jwatterman@cnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

1. Ordinance expanding the Street Naming protocol to include the naming of Municipally Owned Properties to include: (a) Buildings and Structures, including overpasses, bridges and viaducts and any similar structure; (b) Real Property, including open spaces and parks; and (c) Interior features of any Municipally Owned Property.

Ordinance to be codified in Chapter 3, Administration of Government, Article V, Office of the City Clerk.

2. Deleting subsection 296-19 Street Name Protocol from Chapter 296, Streets and Sidewalks, Article VI, Street Name Changes.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

City Clerk File No. Ord. 15.013

Agenda No. 3.B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.013

TITLE:

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
304, ("TAXATION") ARTICLE V, ("HOTEL OCCUPANCY TAX") TO INCLUDE
§304-27.2 DEFINITIONS**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN

A. The following amendments and supplements to Chapter 304 Taxation, Article V, Hotel
Occupancy Tax, are adopted.

Article V
Hotel Occupancy Tax

§ 304-27.2. Definitions

"Hotel" shall mean a building or portion of it which is regularly used and kept open as such for the lodging of guests, whether or not meals are served, and also includes, but is not limited to an apartment hotel, bed and breakfast, motel, inn, boarding house, rooming house, condotel, a home, apartment, house, condo or dwelling irrespective of whether there is a permanent resident residing in the building, and any other sleeping accommodations that are available to the public on a transient basis.

The collection of an occupancy fee does not in any way condone or exempt the transaction from compliance with all other building, zoning, or other governmental agency regulation.

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted. For purposes of advertisement only, new material is indicated by **boldface** and repealed matter in *italics*

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 304, (“TAXATION”) ARTICLE V, (“HOTEL OCCUPANCY TAX”) TO INCLUDE §304-27.2 DEFINITIONS

Initiator

Department/Division	Municipal Council	
Name/Title	Candice Osborne	Councilwoman
Phone/email	(201) 547-5315	COsborne@jenj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

Ordinance amending Chapter 304, Article V, Hotel Occupancy Tax to add subsection 304-27.2 entitled Definitions to further clarify what constitutes a hotel and to include an apartment hotel, bed and breakfast, motel, inn, boarding house or rooming house, condotel, and any other sleeping accommodations that are normally available to the public on a transient basis.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

City Clerk File No. Ord. 15.014
Agenda No. 3.C 1st Reading
Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.014

TITLE:
**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS TO THE COLGATE REDEVELOPMENT PLAN TO ALTER THE HEIGHT AND
OPEN SPACE OF BLOCK 14507 AND MAKE MINOR DESIGN AND REGULATION CHANGES**

WHEREAS, the Local Redevelopment and Housing Law, NJSA 40A:12A-1et seq. permits municipalities to adopt and amend regulations dealing with areas declared to be "in need of redevelopment" and "in need of rehabilitation"; and

WHEREAS, the Municipal Council of the City of Jersey City adopted a redevelopment plan for the area, now known as the Colgate Redevelopment Plan on January 26, 1989; and

WHEREAS, the Colgate Redevelopment Plan has been amended periodically since its adoption with the last amendment made on March 13, 2013; and

WHEREAS, the Municipal Council of the City of Jersey City wishes to assure continued high quality design and development within the Colgate Redevelopment Plan area; and

WHEREAS, The amendment request made by China Overseas America, INC. contains substantial design benefits for the City and the immediate Paulus Hook neighborhood; and

WHEREAS, This amendment changes the development standards of Block 14507 to allow a higher tower of up to 990 feet if there is only one tower proposed for the block. It also increases the open space requirement, mandates the wrapping of the parking garage base along Greene Street with residential liner units, and decreases the setback requirement by 5 feet along Grand Street, for Block 14507. Edits and administrative changes are also proposed; and

WHEREAS, the Planning Board of Jersey City, at its meeting of January 20, 2015, reviewed and discussed the amendment. The board unanimously recommended that the Municipal Council adopt the amendments; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the proposed Amendments to the Colgate Redevelopment Plan, dated 1/21/15, entitled Draft 4 - As Recommended by the Planning Board, attached hereto, be, and hereby is, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter, PP, EAICP, Planning Director

APPROVED AS TO LEGAL FORM

APPROVED: _____

APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE COLGATE REDEVELOPMENT PLAN TO ALTER THE HEIGHT AND OPEN SPACE OF BLOCK 14507 AND MAKE MINOR DESIGN AND REGULATION CHANGES

Initiator

Department/Division	HEDC/Planning	
Name/Title	R. Cotter, Director, PP, FAICP	M. Bucci-Carter, Supervising Planner, PP, AICP
Phone/email	201-457-5050 ; bobbyc@jcnj.org	201-547-4499; maryannb@jcnj.org

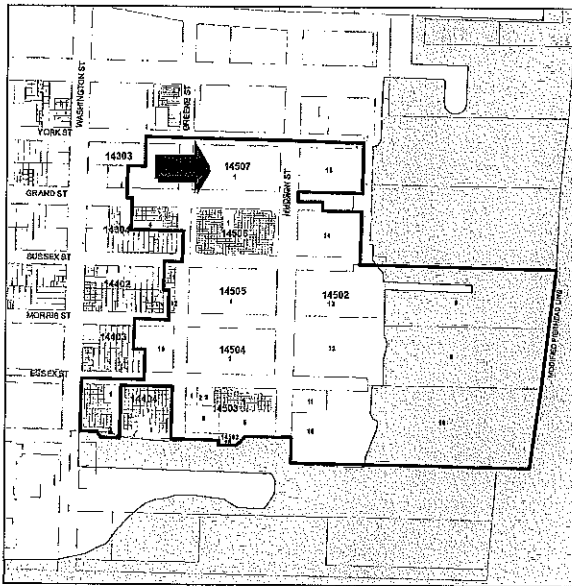
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

The purpose of this amendment is to allow a higher tower. It changes the Maximum building Height on Block 14507 from 675 feet to 990 feet. This increase has several advantages:

1. This height increase do not result in any increase in FAR (Floor Area Ratio);
2. It permits the tower to be shifter closer to the Hudson River and further away from the Historic Neighborhood of Paulus Hook;
3. It provided for a more slender building that is less bulky and preserving more views; and
4. Requires less of a base permitting the creation of increased open space at street level.

Other changes being provided along with this amendments is the creation of 8,500 sf of Publicly accessible open space, the wrapping of the Greene Street frontage with residential liner units to shield the Historic District from the Garage façade, and the incorporation of the drive-thru drop off driveway from Grand Street to York Street, taking idling trucks off the City Street and allowing for drive thru truck delivery and no back-up beeps within the residential neighborhood.



COLGATE REDEVELOPMENT PLAN AREA
BOUNDARY AND TAX MAP

I certify that all the facts presented herein are accurate.

[Signature]
Signature of Department Director

[Signature]
Date 1/23/15

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE COLGATE REDEVELOPMENT PLAN TO ALTER THE HEIGHT AND OPEN SPACE OF BLOCK 14507 AND MAKE MINOR DESIGN AND REGULATION CHANGES

The Colgate Redevelopment Area is approximately bounded by the Hudson River, Greene Street to the West, York Street to the North, and Essex Street to the South.

This amendment primarily changes the development standards of Block 14507 to allow a higher tower of up to 990 feet if there is only one tower proposed for the block. It also increases the open space requirement, mandates the wrapping of the parking garage base along Greene Street with residential liner units, and decreases the setback requirement by 5 feet along Grand Street, for Block 14507.

Other changes proposed include permitting on-street parking on many of the streets within the plan area, and some minor edits and administrative process adjustments.

COLGATE

REDEVELOPMENT PLAN

Prepared by

Division of City Planning
Department of Housing & Economic Development

Adopted January 26, 1989

Amended June 8, 1989
Amended December 14, 1994
Amended March 12, 1997
Amended August 13, 1997
Amended June 25, 1998
Amended October 27, 1999
Amended July 20, 2000
Amended September 29, 2000
Amended February 28, 2001
Amended October 27, 2004
Amended February 22, 2006
Amended August 16, 2006
Amended September 24, 2008
Amended September 12, 2012 (Ord. 12-112)
Amended March 13, 2013 (Ord. 13-028)

Proposed Amendments: Draft 4 1/21/15
As Recommended by the Planning Board on January 20, 2015

Proposed text additions are shown *Thusly*

Proposed text deletions are shown ~~thusly~~

Figure 2 is proposed to be deleted

Figure 7 is proposed to be amended as shown on Figure entitled *Proposed Figure 7*

Circulation Map is proposed to be amended as shown on Figure entitled *Proposed Circulation Map*

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INTRODUCTION

The purpose of the Colgate Redevelopment Plan is to provide comprehensive development that will assure the coordinated growth of one of the premiere waterfront locations in Jersey City.

The plan formulated for the Study Area recognizes that the area adjoins both the primarily office district of Exchange Place to the north and the historic, residential neighborhood of Paulus Hook to the west. Substantial open space and recreational resources exist to the east and south -- the Hudson River and Liberty State Park. In view of these factors, the land use plan for the proposed Redevelopment Area emphasizes mixed uses and encourages the development of new offices and residential structures, as well as recreation and retail. The proposed mixed-use development adheres to the 1984 Land Use Map of the City's Master Plan.

The design criteria and redevelopment plan are intended to ensure that the Study Area provides an active, inviting environment during evening and weekend hours, as well as during the business day. Recognizing the retail needs of businesses and residents, ground floor retail activities are encouraged.

Urban design objectives for the Project Area stress the re-establishment of a street grid throughout the site to provide for vehicular circulation and for pedestrian access to the waterfront.

Along the waterfront, the development of a major link in the waterfront walkway system will create important pedestrian connections from the Exchange Place area to Liberty State Park. These urban design features will accentuate the views of Manhattan and the New Jersey/New York Harbor available from the site.

Throughout the project area, building design standards will guide development of major new elements in Jersey City's waterfront skyline while ensuring that a transitional, human scale is provided along the eastern and western edges of the Study Area. Similarly, the design and organization of the project area should encourage the movement of pedestrians by means of the creation of a traditional urban environment.

Such an urban streetscape is encouraged through use of street wall buildings and the clustering of open spaces to provide major public places through the project. Extensive use of mass transit is encouraged. In this manner, the district will be shaped in a distinctly urban, rather than suburban, form.

Recognizing the varying planning considerations at different locations through the area, the Redevelopment Plan divides the forty-one (41) acre site into five (5) use districts. Detailed planning and design standards are provided for each district to accommodate the diverse challenges and opportunities present in each. Through achievement of these standards, development within the district occurring over time will produce a high-quality waterfront environment suited to the needs of present and future generations.

I. REDEVELOPMENT PLAN MAPS AND FIGURES

Location and Boundaries of the Redevelopment Area.

The City location of the proposed Colgate Redevelopment Area is shown on Figure #1. Figure #2 and #3 show the proposed boundaries of the Redevelopment Area. Figure #4 shows the proposed Colgate Redevelopment Area as it relates to the Exchange Place Redevelopment Area to the north and the Paulus Hook Historic District to the west. Figure #5 shows the vehicular and pedestrian circulation as well as the proposed parks and open space. Figure #6 graphically illustrates the different land use districts within the area. Figure #7 provides an illustration of the maximum allowable building envelope for the Redevelopment Area, showing its relationship to the Paulus Hook Historic District and the waterfront. Figure #8 details the properties within the Redevelopment Area that are not to be acquired.

Boundary Description

Given the irregularity of the Colgate Study Area, the boundary description will be by reference to the following blocks and lots. The specific boundary may be reviewed on the map titled Boundary Map showing Tax Lots Figure #3.

Block	Lots
14502	8, 9, 10, 11, 12, 13, 14, 16
14503	1, 2, 3, 5, 6
14504	1 (entire block)
14505	1 (entire block)
14506	1 (entire block)
14507	1 (entire block)
14404	1, 2, 3 (entire block)
14403	10
14402	11, 12
14304	4
14303	2

In addition the thirty (30) foot wide dead end portion of Dudley Street beginning at the eastern right-of-way line of Greene Street and extending one-hundred-fifty (150) feet easterly thereof, the northern right-of-way line of which is co-extensive with the southern lot line of Lot 6 of Block 14503, and the eastern right-of-way line of which is co-extensive with the western lot line of Lot 10 of Block 14502 shall be included in the Redevelopment Area.

II. REDEVELOPMENT PLAN OBJECTIVES

Renewal activities for the Colgate Redevelopment Area (hereinafter called "The Project") will be undertaken in conformity with, and will be designed to meet the following objectives of this Redevelopment Plan:

- A. The Acquisition of private property within the Colgate Redevelopment Plan Area is identified on the Acquisition Map and labeled as, "to be acquired." It is specifically located on Block 14403, Lot 10.
- B. The elimination of vacated, deteriorated and obsolete structures, including dilapidated piers and bulkheading and unused industrial buildings, which by their blighting influences adversely affect the feasibility of amenable neighborhood physical change and the further development of an emerging commercial and residential area.
- C. The improvement of the functional and physical layout of the project area for contemplated new development.
- D. The overall improvement of traffic circulation through the re-establishment of a street grid system that facilitates vehicular and pedestrian circulation, and provides for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
- E. Creation of a new multifaceted waterfront development with housing, employment opportunities and recreation within an area that is currently underutilized, contains substandard and obsolete structures and has physical impediments, all of which prevent sound development unless undertaken on a broad and comprehensive scale.
- F. The development of a major network of public open space along the waterfront, including promenades and other open space connecting other waterfront development which allows all City residents access to the river and its amenities.
- G. The creation of a new, contemporary image for this portion of the Jersey City waterfront, which, through innovative and high standards of design, will fully utilize the project area's unique location.
- H. Creation of major new employment and housing opportunities for the residents of Jersey City.
- I. Provision for redevelopment that minimizes the need to relocate residents, businesses or industrial concerns.
- J. Promotion of balanced development in accordance with the Fair Housing Act (NJSA 52: 27D- 311) and the Housing Element and Fair Share Plan of the City of Jersey City Master Plan.
- K. Enhancement of the Paulus Hook Historic District through improvement of its waterfront access, redevelopment of industrial sites and historically sensitive treatment of vacant sites immediately contiguous to the district.
- L. To make reasonable efforts to achieve a goal of awarding twenty (20%) percent of the dollar amount of the total contract and subcontract procurements to minority and female owned businesses enterprises which have their principal place of business in the City of Jersey City, pursuant to the Municipal Code Section C-190 and as amended.

- M. Preservation, and where necessary, re-establishment of view corridors created by public streets to accentuate views of Lower Manhattan, the Statue of Liberty, Ellis Island and Liberty State Park.
- N. Preservation and adaptive reuse of any existing structure shall be permitted: said structure's height, lot coverage, FAR and density shall be grandfathered if the zoning regulations contained herein are exceeded. Additions to existing structures shall be allowed within the zoning constraints.
- O. Coordination of redevelopment activities to provide a uniform attack on blight, which reinforces existing renewal and improvement programs in adjacent areas in accordance with the goals and objectives of the City of Jersey City.
- P. The impact of additional traffic generated by the proposed office development shall be mitigated by the provision of an adequately designed traffic circulation system.
- Q. Creation of a complete urban community by providing for neighborhood facilities to serve the Colgate Redevelopment Area including but not limited to such activities as senior citizen centers, day care centers and community meeting spaces.

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

It is proposed to improve and upgrade the Colgate Redevelopment Area substantially through a combination of redevelopment actions. These may include, but shall not be limited to:

- A. Clearance of dilapidated, deteriorated, obsolete or under-utilized structures where necessary.
- B. Assembly of vacant and underutilized land into developable parcels.
- C. Construction of new structures and complementary facilities.
- D. Provisions for public infrastructure necessary to service and support the new development.
- E. Participate in the Jersey City Affordable Housing Linkage Program by either: (1) constructing affordable housing; (2) providing cash contribution for the subsidization of affordable housing; (3) by the financing of an affordable housing project.
- F. Provide for the construction of (20%) twenty-percent low and moderate income affordable housing dwelling units as determined by HUD Section 8 Income Guidelines, on Block 14403 Lot 10 within the Greene Street Residential District.

IV. SUBMISSION OF A MASTER PLAN

In order to achieve a more comprehensive multiphase development, a Master Plan for the entire Redevelopment Area shall be presented by the developer to the Planning Board prior to submission of individual site plans. The Master Plan shall be consistent with the provisions of the Redevelopment Plan covering the site and shall, at a minimum, include the following elements:

- A. Overall site development for the district specifying approximate heights, densities, uses, floor area ratios and square footage within proposed district, including sites for public parks and open space.
- B. Traffic impact circulation analysis and appropriate plans, which shall include mass, transit routes. All internal roadways and pedestrian walkways shall be identified on a circulation plan. This plan shall be in the form of a plat and shall identify all roadway improvements, walkway improvements, and utility improvements required within the Colgate Redevelopment Plan Area, the party responsible for the completion of such improvements and the timing of completion.

This plat or set of plats shall meet with the approval of the Municipal Engineer and the Director of the Division of City Planning.

- C. Parking and vehicular access plan.
- D. Environmental impact analysis.
- E. Utilities plan, which shall include the on-tract and off-tract infrastructure improvements needed to serve the development.
- F. Fiscal impact analysis, which shall include the projected municipal public services and costs, needed to serve the planned development.
- G. Affordable housing impact analysis, which shall examine the extent, to which the proposed development addresses the need for affordable housing.
- H. Phasing plan, which shall describe the sequence and amounts of development to result. Subsequent applications for preliminary site plan approval for specific elements or phases shall be consistent with the Master Plan. In reviewing such specific applications for preliminary site plan approval, the Planning Board may rely upon the studies submitted and reviewed during the Master Plan hearing. Major revisions of the Master Plan as determined by the City Planning Division shall be required to come before the Planning Board for review. At the time of Preliminary Site Plan Review the applicant(s) shall be required to demonstrate the relationship between the individual project and the Master Plan.

V. URBAN DESIGN OBJECTIVES AND GUIDELINES

A. Building Design Objectives for new construction.

- 1. All structures within the project area shall be located with proper consideration of light, air, height, bulk, usable open space and access to public rights-of-way and off-street parking.
- 2. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate elements found throughout the Exchange Place/Paulus Hook area.
- 3. Buildings should be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the project area.

4. View corridors along the existing street network shall be considered so as to restore and preserve, to the maximum extent feasible, sight-lines of the Lower Manhattan skyline, Statue of Liberty, Ellis Island and Liberty State Park.
5. All structures within the project area shall be designed and maintained so as to improve the visual appearance of Jersey City's waterfront skyline as seen from within and beyond the city's borders.
6. East of Greene Street, all utility distribution lines and utility service connections from such lines to the project area's individual uses shall be located underground. West of Greene Street, all utility service connections to the project areas individual uses shall be located under ground.
7. All major mechanical equipment located on the roof of any building shall be screened from view with materials harmonious with those used in the building façade. The screening shall not impair the functioning of the equipment. Generators and transformers shall not be located within the setback area of any building, where the step back level is below 250 feet. They shall be enclosed by an opaque screen wall or be located interior to the building. They shall be surrounded by sound attenuating material, and equipped with sound mufflers of hospital grade.

All alterations, additions, or relocations of this type of mechanical equipment in existing buildings shall comply with these standards. Such alterations must receive site plan approval from the Planning Board.

8. All electronic communication equipment shall be mounted in such a way that it does not negatively impact the appearance of the building on which it is placed nor create objectionable views when seen from surrounding buildings.
9. Access by the elderly, physically handicapped and/ or disabled shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.
10. Urban design elements shall be compatible with neighboring projects in the waterfront area, and where appropriate, shall comply with the Hudson Waterfront Walkway Design Guidelines as proposed by the New Jersey Department of Environmental Protection (NJDEP 1984, and all subsequent amendments).
11. All building heights, cornice lines, stepback lines, etc. shall be measured from the average finished grade level at the intersection of Sussex Street and Greene Street, *which shall be known as the Datum Point and which is hereby established at 21.5 feet above sea level.* ~~and shall be consistent throughout the development.~~

B. Open Space/Objectives and Guidelines

1. An average of fifteen (15%) percent of the total upland and pier site area (excluding underwater area) controlled by a single owner, designated developer(s), corporate partnership or affiliated developer(s) contained within the Mixed-Use, Esplanade and Waterfront Recreation Districts shall be required to be improved/landscaped public open

space. This open space shall be divided into two (2) categories.

- a. Totally accessible open space shall be open to the public twenty-four (24) hours per day and shall include:

- Sidewalks with trees
- Landscaped medians
- Bicycle paths
- Parks
- Plazas
- Public walkways
- Waterfront promenades
- Landscaped areas
- Elevated or depressed plazas less than an average of eight (8) feet above or below the street level from which the plaza is accessed.
- Piers

Totally accessible open space shall be calculated at one hundred (100%) percent of the actual area.

- b. Limited access open space, which shall be open to the public a minimum of twelve (12) hours per day and shall include:

- Enclosed arcades used for commercial activity
- Elevated or depressed plazas more than an average of eight (8) feet above or below the street level from which the plaza is accessed.
- Piers

Limited access open space shall be calculated at fifty (50%) percent of the actual site area.

- c. In addition to the above a public park or portion of a public park developed and maintained on Tax Block 14502 south of Essex Street may count toward the required fifteen (15%) percent public open space. The actual credit shall be calculated at twenty-five (25%) of the area improved and shall be added to the area on which the fifteen (15%) percent is calculated.

2. All open space, including plazas, shall be designed with lawns, trees, shrubbery, attractive paving materials, street furniture, lighting and other architectural and artistic amenities to produce and provide a pleasant environment at street level to complement the building and project area.

The provision of low walls, planters, and stairs are encouraged in addition to benches to provide for seating. The use of water features such as fountains is also encouraged. Open space and plazas shall be designed to invite and attract the public.

3. The project area shall incorporate an open space element along the Hudson River, including a waterfront walkway designed to meet the "Minimum Requirements for Public Accessways" as presented in the Hudson River Waterfront Walkway Plan and Design

Guidelines (NJDEP, 1984; and all subsequent amendments.)

4. Waterfront parks shall serve as an integral part of the Hudson River Waterfront Walkway and shall be landscaped and maintained in an attractive manner.

The following shall be considered public parks when designing the waterfront walkway:

- a. Proposed public park located on Tax Block 14502 located between Hudson Street and the Hudson River south of Essex Street.
- b. Proposed park located on Block 14503, Lot 5.
- c. The extension of Parkland into the Hudson Street R-O-W adjacent to Block 14502 Lot 12

The developer(s), the City and the State are encouraged to coordinate the provision and maintenance of these parks.

5. All development within the Colgate Redevelopment Plan Area shall comply with the Colgate Project Site Design Guidelines, prepared September 25, 1995 by Sasaki Associates, Inc. as amended from time to time by the Jersey City Planning Board.

C. Landscaping Objectives

1. Unless paved, all open space shall be landscaped attractively and maintained regularly.
2. All improved landscaped areas, including open space and plazas, shall be designed with trees, shrubbery, attractive paving materials, street furniture, lighting and/or other architectural amenities, consistent with the design of surrounding buildings.
3. All screen planting shall be coniferous and only species with proven resistance to the urban environment in this area will be acceptable. Screen planting shall be a minimum of four (4) feet in height. Material shall be planted, balled and burlapped and of specimen quality as established by the American Association of Nurserymen. At initial planting the materials shall provide a screen from the top of the planting to within six (6) inches of grade. Other plant materials shall be dense, and of specimen quality determined as above. All deciduous trees shall be a minimum of three (3) inches in caliper. All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer, reviewed by the Division of City Planning and approved by the Planning Board in accordance with site plan approval.
4. Any landscaping which dies due to natural causes or vandalism shall be replaced by the developer(s) at their expense.
5. Sidewalk areas shall be landscaped and durably paved and shall be provided with adequate lighting.
6. All trash receptacles shall be enclosed and secured.
7. No chain link fencing shall be permitted except during construction. Construction fencing is intended to ensure safety as well as provide visual screening for the Paulus Hook Neighborhood and the surrounding area during the construction process.

D. Pedestrian Circulation Objectives & Guidelines

1. The pedestrian circulation system shall be integrated with the roadway circulation network and shall encourage safe and improved pedestrian circulation through the following:
 - a. Focus streetscape improvements along primary pedestrian corridors;
 - b. Encourage design features, materials and activities at the street level, which create an attractive and interesting pedestrian environment;
 - c. Insure the safety of pedestrians by providing adequate sidewalk space and clearly defined pedestrian crossings;
 - d. Direct new development to minimize pedestrian and traffic conflicts.

2. All sidewalks and pathways must be designed to provide ease of access for the physically disabled.

Access ramps shall be conveniently placed and sloped at a maximum of 8.5 percent to provide easy connection to streets and sidewalks.

Design standards shall meet, at a minimum, barrier-free design regulations as specified in the American National Standard Institute (ANSI) Section A17.1-1986.

3. Hudson Street shall serve as a major entrance corridor to offices and retail establishments. Its landscape treatment shall reflect this use through planting and paving as well as through the types and spacing of light fixtures. Hudson Street shall also serve as a transportation corridor for automobile, bus and light rail transit.
4. Greene Street shall serve as a transitional area between the Paulus Hook Historic District and the Redevelopment area and the developer(s) of tax block 14504 shall be required to provide a 20 ft landscaped strip within the western side of such blocks along the east side of Greene Street. The developer(s) of tax blocks 14505, 14506, and 14507 shall be required to dedicate a 20 ft strip along the western side of said blocks 14505, 14506, and 14507 to the public right of way of Greene Street for pedestrian and/or vehicular traffic. The resulting Right of Way after dedication shall be 80 feet. Greene Street's landscape treatment shall serve to provide transitional elements consistent with the Paulus Hook Historic District. Anything in this Redevelopment Plan to the contrary notwithstanding, the developer(s) of tax blocks 14504, 14505, 14506, and 14507 shall be permitted to use the 20 ft strip of said blocks being dedicated pursuant to this paragraph in determining FAR and density for such tax blocks.
5. All east/west streets, and vacated Morris Street as extended to the Hudson River Walkway, shall serve as pedestrian links to the Hudson River Walkway. Landscape treatments shall include adequate street lighting and intermittent planting. Vacated Morris Street shall be developed as an open air plaza. The buildings on either side of the plaza shall be setback an average of at least 10 feet from the former right-of-way line, or extension of Morris Street. There shall be no encroachment to the former right-of-way except for an open air plaza and an underground garage. An appropriate easement agreement, with respect to access for 24 hours through the plaza shall be executed between the developer and the City.

6. Corridors along York, Sussex and Morris Streets shall provide entry to parking structures and service areas. Development on Block 14506 may also provide an exit from the parking structure onto Grand Street.
7. Sidewalks throughout the Redevelopment Area shall be a minimum of fifteen (15) feet in width, notwithstanding provisions elsewhere within this Plan. The waterfront walkway provided along the Hudson River shall be a minimum thirty (30) feet wide in keeping with the Hudson River Waterfront Walkway Plan and Design Guidelines (NJDEP, 1984; and all subsequent amendments).
8. All public sidewalks and walkways shall be open to the public 24 hours per day.

VI. TRAFFIC CIRCULATION OBJECTIVES AND GUIDELINES

- A. Montgomery Street, Christopher Columbus Drive, and Washington Boulevard shall serve the project area as the major auto access routes.
- B. The Exchange Place PATH Station shall service the project area as the major mass transit facility.
- C. Traffic circulation shall be facilitated through the use of round-the-block circulation patterns and the location of vehicular entrances and loading areas on the streets least intensively utilized.
 1. On Block 14506 vehicular egress may also be located on Grand Street when it is configured as a thru driveway from Sussex Street.
 2. *On Block 14507, vehicular ingress may be located on Grand Street when it is configured as a thru driveway to York Street. This traffic flow direction shall be one-way but may flow either from Grand to York Streets or from York to grand Streets.*
 3. *When the above thru-driveways are incorporated into the site all deliveries and convenience drop-off services, such as but not limited to; supermarket on-line ordered delivery and parcel delivery shall be made via the internal thru driveway to eliminate any on-street drop off.*
- D. The pedestrian circulation system shall be integrated with the roadway circulation network and shall encourage safe pedestrian movement.
- E. Traffic associated with office development in the Mixed Use District shall be circulated in such a manner as to minimize any negative impact on the Paulus Hook community.
- F. The use of mass (public) transportation by employees, residents and visitors in the Redevelopment Area shall be encouraged through the use of directional and informational signage as well as incentive programs (i.e. car pooling, employee education, staggered work hours, etc.). Said signage shall conform to Section XII. Signage.
- G. The availability of water transportation on the Hudson River shall be encouraged in, or proximate to, the project area.
- H. Provisions shall be made to accommodate and to facilitate the development of a Light Rail Transit system within the eastern portion of the rededicated Hudson Street R.O.W. directly adjacent to and

parallel with the western lot lines of Tax Blocks 14502 lots 12, 13, 14 and 16. This shall be done in a manner compatible with vehicular and pedestrian usage.

- I. Those previously vacated portions of the Hudson, Morris, Sussex and Essex Streets rights-of-way, except Morris Street east of Hudson Street, shall be rededicated as they existed prior to vacation for vehicular and pedestrian circulation as soon as practical after the cessation of industrial and/or construction activities. In addition to the rededicated Hudson Street R.O.W.: (a) the developers of tax blocks 14504, 14505, 14506, and 14507 will be required to dedicate a 20 ft. strip on the eastern side of tax blocks 14504, 14505, 14506, and 14507 to the public right of way of Hudson Street for pedestrian and/or vehicular traffic and (b) the developer of tax Block 14504 shall be required to provide to New Jersey Transit and/or the City of Jersey City, through easement or dedication, as appropriate, up to 10 feet on the southern side of said Block 14504 to accommodate Light Rail Transit and/or vehicular/pedestrian traffic. Anything in this Redevelopment Plan to the contrary notwithstanding, the developer(s) of tax blocks 14504, 14505, 14506, and 14507 shall be permitted to use the 20 ft. strip of said Blocks being dedicated, and 10 ft. strip of Block 14504, subject to easement or dedication, pursuant to this Section VI. I. in determining F.A.R., density and lot coverage for such tax blocks.
- J. The following vehicular circulation standards, which shall apply only on and east of Greene Street, will be guidelines only and shall be subject to approval by the appropriate municipal and state agencies.

NOTE: Circulation patterns are subject to modification upon provision of Light Rail Transit.

1. York Street

Right-of-Way: 60 feet
Carriageway: 35 feet minimum
Direction: East/West bound two-way
Function: Access road to parking and loading facilities as well as vehicular and pedestrian circulation. ~~No on-street parking within the carriageway shall be permitted.~~ ***On-street parking within the carriageway may be permitted.***

2. Grand Street

Right-of-Way: 80 feet portion east of Greene Street to be rededicated.
Carriageway: 46 feet minimum
Direction: East/West two-way
Function: Shall serve as a circulation road. No access to parking or loading shall be permitted, ***except as follows:*** On Block 14506 egress from parking and loading may be permitted only when it is configured as a thru driveway from Sussex Street; ***and On Block 14507, vehicular ingress may be located on Grand Street only when it is configured as a thru driveway to York Street. This traffic flow direction shall be one-way but may flow either from Grand to York Streets or from York to grand Streets.***

3. Sussex Street

Right-of-Way: 60 feet portion east of Greene Street to be rededicated.
Carriageway: 35 feet minimum
Direction: East/West bound, two-way
Function: Shall serve as an access road to parking and loading facilities as well as vehicular and pedestrian circulation. *On-street parking within the carriageway may be permitted.*

4. Greene Street

Right-of-Way: 60 feet south of Morris Street
80 feet north of Morris Street
Carriageway: 54 feet minimum north of Morris Street
30 feet south of Morris Street
Direction: North/South bound two-way
Function: Shall serve as a circulation road only with no access to parking and loading facilities. On-street parking within the carriageway may be permitted.

5. Hudson Street

Right-of-Way: 90 feet including 70 feet between Essex Street and York Street to be rededicated, and a 20 ft wide strip along the eastern lot lines of tax blocks 14504, 14505, 14506, and 14507 between Essex Street and York Street to be dedicated. South of Essex Street, Hudson Street shall maintain at least half of its current right of way, but its terminus shall coincide with the southern boundary of Block 14503, Lot 5. The current right of way from that point south shall revert to parkland serving to connect Lot 5 and Veterans Park. Narrow vehicular access to the waters edge may continue straight through this new parkland area only to accommodate boat launch access. Area site improvements shall include decorative pavers, stamped asphalt, and other materials to create a pedestrian oriented design to share the occasional vehicular boat launch.

Carriageway: 34 to 46 feet for vehicular traffic plus 34 to 46 feet for Light Rail Transit between Grand and York Streets; 46 feet minimum for vehicular traffic plus 34 feet for Light Rail Transit between Grand St and Essex Street; and a carriageway adequate to provide access for Block 14503 and the park boat launch for vehicular traffic plus zero (0) feet for Light Rail Transit south of Essex Street.

Direction: South bound one-way between York Street and Essex Street (North/South bound two-way for initial development phases), and North/South bound two way south of Essex Street.

Function: Shall serve as a circulation road only, *with* no access to parking or loading ~~shall be permitted. no on-street parking within the carriage way shall be permitted,~~ except that access to onsite parking and loading shall be permitted south of Essex Street. *On-street parking within the carriageway may be permitted throughout.*

Improvements: Roadway and Right of way improvements to Hudson Street south of Essex Street shall be required in conjunction with, or prior to the development and

Restriction: occupancy of any residential development on Block 14503.
Hudson Street south of Essex Street shall accommodate emergency access, pick-up and drop-off for Block 14503, and boat launch drop-off only. All other public use of the right of way south of Essex Street shall be limited to pedestrian and/or bicycle modes.

6. Morris Street

Right-of-Way: 60 feet, portion east of Greene Street and west of Hudson Street to be rededicated.
Carriageway: 35 feet minimum
Direction: East/West bound, two-way
Function: West of Hudson Street it shall serve as an access road to parking and loading facilities as well as vehicular and pedestrian circulation. *On-street parking within the carriageway may be permitted.*

7. Essex Street

(a) West of Hudson Street

Right-of-Way: 60 feet
Carriageway: 16 feet for vehicular traffic. Developer of Block 14504 will provide to New Jersey Transit and/or the City of Jersey City, through easement or dedication, as appropriate, up to 10 feet in addition to 60 feet right-of-way, to accommodate Light Rail Transit and/or vehicular/pedestrian traffic.
Direction: West bound one-way between Hudson and Greene Streets.
Function: Shall provide vehicular, pedestrian and Light Rail Transit circulation. Light Rail Transit shall be permitted between Hudson and Greene St. Light rail transit station shall be permitted between Hudson and Greene St. ~~No on-street parking within the carriageway shall be permitted.~~ *On-street parking within the carriageway may be permitted.*

(b) East of Hudson Street

Right-of-Way: 120 feet
Carriageway: 100 feet for vehicular traffic, including a provision for a cul-de-sac for vehicular turning and a landscaped median.
Direction: East/West bound two-way between Hudson Street and the Waterfront Walkway.
Function: Shall serve as access road to parking and loading facilities as well as public vehicular and pedestrian circulation and passenger pick-ups and drop-offs at the building on Block 14502 Lot 12. *Non-metered on-street parking may be permitted on the southern-most curbed edge of the carriageway and only on the weekends.*

VII. PARKING AND LOADING OBJECTIVES AND GUIDELINES

A. All required parking and loading areas shall be provided off-street. ~~Any on-street parking within the~~

~~Redevelopment Area shall be limited to passenger loading and unloading only. All such parking and loading areas shall be graded, paved with a durable dust free surface and adequately drained. All ingress and egress shall be defined and controlled in accordance with the Zoning Ordinance of the City of Jersey City. On-street parking shall be permitted on all streets within the redevelopment area.~~

- B. In order to maximize the use of each parking space shared parking is encouraged.
- C. The location of entrances to parking and loading areas shall be coordinated with the project area's traffic circulation plan in order to avoid disruption of traffic circulation or obstruction of pedestrian walks and thoroughfares. Underground parking in adjacent buildings may be connected by tunnels upon receipt of appropriate approval of the governing body.
- D. Any open, at-grade parking areas abutting streets shall be buffered about their periphery by a landscaped strip a minimum of five (5) feet in width, designed to attractively screen the lot by the use of berms, screen planting, shrubs, trees and/or ground cover.
- E. Where buildings incorporate internal above grade parking garages, facade treatments shall be utilized which integrate their appearance with that of the building as a whole. In addition to this requirement detailed design guidelines for parking structures shall appear in the specific Use District descriptions in this plan.
- F. Developers shall demonstrate that sufficient off-street loading will be provided to meet the needs of the proposed use. Loading operations shall be conducted so as to minimize conflicts with traffic circulation. All loading facilities shall be within the building to accomplish the above objective.
- G. On-street loading, which shall be limited to light deliveries that support the day-to-day functioning of the building with which they are associated, shall be prohibited between the weekday hours of 7:00 A.M. to 10:00 A.M. and 3:00 P.M. to 6:00 P.M. No loading shall occur within the carriageway.
- H. All self-parking spaces shall be a minimum of eight-and-one-half (8.5) feet wide by eighteen (18) feet deep, as measured from the curb/wheel stop. All aisles where 90 degree angle parking is used shall be a minimum of twenty-two (22) feet wide. A maximum of fifty (50%) percent of parking stalls may be compact, a minimum of eight (8) feet wide by fifteen (15) feet deep. If other than 90 degree angle parking is used stall lengths and aisle widths may be adjusted accordingly.

Subsurface Parking Garages

If two adjoining lots are constructed with a subsurface garage spanning the subsurface area beneath said lots, the maximum off-street parking requirements shall be calculated in accordance with this paragraph. Parking may be allocated between the adjoining lots by the owner thereof, or by agreement between the respective owners thereof, irrespective of individual lot requirements regarding the maximum off-street parking permitted. The requirements of the Redevelopment Plan shall be satisfied where the total number of parking spaces provided within the subsurface parking garage does not exceed the aggregate of the number of spaces permitted for the two adjoining lots, irrespective of the actual location of the spaces within the garage.

- I. All developments proposing valet parking shall submit a parking management plan. Such plan shall

include, but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, all parking stall and aisle widths and other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval by the Division of Traffic Engineering, Division of City Planning and approval by the Planning Board in accordance with the site plan approval process.

- J. Marina loading and unloading activities, which shall be limited to passengers and equipment, shall be accommodated at the eastern ends of York and Sussex Streets. Emergency and off-hour service access shall be accommodated along the former Marginal Street in such a manner that avoids vehicular encroachment on the thirty (30) foot mandated Hudson River Walkway.

Removable barriers, fixed bollards, distinctive paving elements and signage may be used to accomplish these objectives.

- K. ~~Bicycle Storage for residential development: There shall be common area, indoor facilities for the storage of bicycles. Facilities shall be designed so that bicycles can be easily and properly secured, and access to the street shall be unimpeded by stairs or tight corners. It is recommended that the bicycle storage facility be contained within the parking garage; however, facilities may be divided up among multiple locations.~~ *shall be required as outlined in the Land Development Ordinance.*

VIII. MAXIMUM OFF-STREET PARKING REQUIREMENTS

Maximum off-street parking requirements/interim policy.

- A. Residential 1.0 space per unit
- B. Offices & Retail Brokerage 1.0 space for every 1000 square feet of gross floor area up to 660,000 sq. ft. 0.9 space for every 1000 square feet of gross floor area above 660,000 sq. ft.
- C. Hotels
 - 1.0 space per room up to 100 units
 - 0.5 space per room for 101 to 250 units
 - 0.3 space per room for 251 to 500 units
 - 0.0 space per room for 501 units and above
- D. Retail sales, Retail services, Restaurants, Bars, Banquet Facilities, Nightclubs, Health Clubs, Day Care Facilities, Public/Quasi- Public, Museums.
 - 0.5 space per 1000 square feet of gross floor area.
- E. Theaters, Convention Centers, Conference Facilities
 - 1.0 space per eight (8) seats
- F. Marina 0.33 space per berth

G. Heliports, Water Transit Facilities, Parks/Open Space, Mass Transit Facilities.

Heliports may provide a maximum of 10 parking spaces; Water Transit Facilities may provide a maximum of 800 parking spaces; Parks/Open Space may provide a maximum of 50 parking spaces; Mass Transit Facilities may provide a maximum of 50 parking spaces. The developers of such uses shall be responsible for the provision of such parking spaces.

The above maximums are interim standards; a final determination on parking requirements will be made upon release of a Traffic Engineering Division analysis and/or a determination by the Planning Board upon review of the Traffic Impact Analysis submitted as a part of the required Master Plan. All developers, in the redevelopment area shall abide by any reduction in the permitted maximums for site plans submitted subsequent to the completion of this (these) study(s), and/or adoption of a long-term policy which shall replace the above interim standards.

NOTE: Developments with a mix of uses such as Hotels may calculate the total allowed number of parking spaces of each component. Example: Rooms and Restaurants and Conference Facilities equal total spaces allowed.

IX. INTERIM USES

Interim uses may be established subject to agreement between the developers and the Planning Board that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board, which may establish an interim use period of up to three (3) years in duration. Additional renewals of an interim use may be granted by the Planning Board. No commuter commercial parking shall be allowed. Upon demolition of existing structures, and compliance with all of the developer's obligations under Environmental Cleanup Responsibility Act (ECRA), the site shall be graded, planted, sodded and/or paved with a durable dust free surface in the interim period prior to construction of new buildings.

X. GENERAL PROVISIONS

- A. All new development shall make provisions for solid waste recycling in accordance with the City of Jersey City Recycling Program.
- B. East of Greene Street utility distribution lines and utility service connections from such lines to the redevelopment area uses shall be located below grade.
- C. The regulations and controls in this section may be implemented where applicable by appropriate covenants, or other provisions in agreements for land disposition and conveyance.
- D. There shall be no restriction of occupancy or use of any part of the project area on the basis of race, creed, color, age, gender, marital status or national origin. No lease, conveyance or other instrument shall be executed by a developer or any of his successors or assignees, whereby land within the project area is restricted upon the basis of race, creed, color, age, gender, marital status or national origin.
- E. No building shall be constructed over public streets in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject

to review by the Planning Board.

- F. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the project shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval, so that compliance of such plans with the redevelopment objectives can be determined.
- G. All residential redevelopment proposals and construction plans shall meet or exceed applicable F.H.A. and/or H.F.A. minimum room size requirements prior to approval by the Planning Board.
- H. No use or re-use shall be permitted, which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electro-magnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.
- I. The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the date of approval of this plan by the City Council of the City of Jersey City, provided, however, that any development or redevelopment projects that are commenced and/or completed within said forty (40) year period shall be deemed to comply with all applicable laws, as long as they comply with the provisions of this Redevelopment Plan. At the end of the forty (40) year period, the zoning regulations contained within this plan shall be incorporated into the Zoning Ordinance of the City of Jersey City.
- J. ~~Prior to commencement of construction, architectural drawings, specifications and site plans for the construction of improvements to the redevelopment area shall be submitted by the developers for review and approval by the Planning Board of the City of Jersey City.~~

~~Site plan review shall be conducted by the Jersey City Planning Board pursuant to NJS 40:SSD-1 et seq. Site plan review shall consist of a preliminary site plan application and a final site plan application. Site plan review shall be conducted by the Planning Board, pursuant to NJS 40:SSD-1 et seq., pursuant to the requirements of the Jersey City Land Development Ordinance and this Plan. Final site plan approval for any phase may be conditioned upon submission of performance guarantees for unfinished site improvements in accordance with NJS 40:SSD-53. Such performance guarantees shall be in favor of the City of Jersey City and in the form approved by either the Corporation Counsel of the City of Jersey City or the Attorney for the Jersey City Planning Board, as determined by the Planning Board.~~

~~The amount of such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of improvements within one (1) year of final site plan approval.~~

~~Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Plan and the Land Development Ordinance of the City of Jersey City.~~

- J. *Prior to commencement of construction, re-construction or rehabilitation architectural drawings and site plans with detailed specifications for the construction and/or rehabilitation of improvements to the area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment requirements and objectives can be determined. Site plan review shall be conducted by the*

Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases. Final Site Plan approval for any phase shall entitle an applicant to building permits.

As part of any Final Site Plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

- K. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the Jersey City Land Subdivision Ordinance.

XI. SPECIFIC LAND USE PROVISIONS

Land Use Map Figure #6 "Land Use Map", divides the area into five (5) districts as indicated. Land use regulations have been developed for the following districts: Mixed-Use District, Esplanade District, Greene Street District, Canal Basin District, and Waterfront Recreational District.

The following Tax Lots are contained within the Colgate Redevelopment Plan Study Area but shall serve as pedestrian and vehicular public rights-of-way. Many consist of previously vacated streets, which the property owner has agreed to rededicate to the City of Jersey City upon completion of construction activity. The area of these lots and the area of vacated Morris Street east of Hudson Street, SHALL NOT be used in calculating FAR, density, lot coverage or improved open space (except as specified in Section V.B.1 and Section VI. I. of this Plan.)

The block and lot numbers assigned at the time of the adoption of this plan are reflected below. Many of these lots have been eliminated over time with the creation and dedication of streets, as required.

Block	Lot
3	S.1
4	S.2
5	S.2, S.3 (western half)
34	S, S.1
35	S and that portion of Lot 1.A contained within the former Sussex Street right-of-way.
36	S.2 and that portion of Lot 1.A contained within the former Sussex Street right-of-way.
37	S.2

A. Mixed-Use District

The following block and lots shall comprise the Mixed-Use District.

Block	Lot
14502	12 & 13
14504	1 (comprising the entire block).

14505	1 (comprising the entire block).
14506	1 (comprising the entire block).
14507	1 (comprising the entire block)
14303	2

This district is intended to provide for a range of intensive development activities at locations suited to high-rise structures. Buildings are encouraged to reinforce streetwall design and develop active ground floor uses. Design standards are provided to encourage transitional elements harmonious with residential areas to the west.

1. Principal Permitted Uses

- a. Office
- b. Residential
- c. Retail
- d. Hotels and/or Conference Centers
- e. Restaurants, Banquet Facilities, Bars and Night Clubs
- f. Health Clubs, Recreation Facilities
- g. Theaters/Museums
- h. Day Care Facilities
- i. Public/Quasi Public
- j. Parks/Open Space
- k. Mass Transit Facilities, Roadways, Water Transit Facilities
- l. Appropriate mixed use of any of the above
- m. Atrium space only when it includes public access, restaurant and perimeter retail space.
- n. Retail Brokerage and Financial only *on* the ground floor, limited to a maximum GFA of 6,000 sq. ft., and maintaining at least 75% of glass along its street frontage. There shall be no parallel partitions adjacent to windows.

2. Accessory Uses

- a. Off-street Parking and Loading Facilities
- b. Fences, Walls and Railings
- c. Signs

3. Maximum Height

- a. On Tax Blocks 14504, 14505, 14506 and 14507 the maximum building height shall be as follows (Old blocks 34, 35, 36, 37):

Block	Height
14504	145'
14507	550' <i>if all building features and standards are as outlined in Section XI specific Land Use Provisions, A. Mixed Use District, 3. Maximum Height, e., the maximum height permitted shall be increased to 675' 990' if there is one tower and no other principal floor area rising above the parking base of the development block</i>
14506	500'
14505	675'

Maximum height shall be calculated to include parking, mechanical floors and rooftop equipment. Antennas shall be exempt from height calculations. On Block 14504, maximum height shall be 376' including parking, mechanical floors, rooftop equipment and mechanical penthouses, provided that rooftop equipment and mechanical penthouses are screened from view with materials harmonious with those used in the building façade, and screened in such a way that the screening appears to be part of the building and serves as a cap to the building.

~~An architectural mast shall be permitted on the highest rooftop of the Block 14507 building. It shall also be exempt from height calculations, provided that the footprint of such mast is no greater than 500 square feet at its largest extent, the mast extends no higher than 125 feet above the height limit of the building, the mast is constructed of decorative metal and / or glass and the mast is compatible with the aesthetic of the building. Telecommunications equipment may be incorporated into an architectural mast as long as the Planning Board finds that either the telecommunications equipment is screened from view or the exposed equipment is compatible with the overall aesthetic of the mast.~~

- b. On Tax Block 14502 lots 12, and 13 the maximum height shall be 875 feet, which shall include parking and mechanical floors. Antennas shall be exempt from height calculations.
- c. On Tax Block 14502 lot 13 the maximum height of the tower element of a building may be increased to 500 feet provided a distinct base element and a distinct tower element are provided and meet the following requirements:
 - i. The face of the tower element shall continue to the ground so that it constitutes a minimum of 25% and a maximum of 50% of the building frontage along Sussex Street.
 - ii. The face of the tower element shall continue to the ground so that it constitutes a minimum of 25% and a maximum of 75% of the building frontage along vacated Morris Street.
 - iii. The face of the tower element shall continue to the ground so that it constitutes a minimum of 25% of the building frontage along the Hudson River Walkway.
 - iv. In areas where the tower element of the building does not continue to the ground, the base element shall provide a significant street wall having a height of 145 feet, or such other height as the Planning Board shall approve.
 - v. The tower face along vacated Morris Street shall be curved such that the setback of the tower along Morris Street shall be a minimum of 20 feet greater at the tower's east edge than at its west edge.
- d. On Tax Block ~~14302~~ **14303** Lot 2, the maximum height shall be 185 feet, which shall include parking and mechanical floors. Additions to existing buildings above

the 8th floor shall be setback 15 feet from each of the three (3) street facades except that up to 50% of the 9th and 10th floor stepback may remain flush with the current building edge. A detailed illustration of this is represented in Rendering Detail 1. Antennas and adequately screened mechanical penthouses shall be exempt from height calculations.

- e. ~~On Tax Block 14507, the maximum height of the building shall be 675 feet, provided that the building contains all of the following features:~~
- ~~• An Atrium constructed of glass on three street wall frontages and on the roof façade. The roof of this glass atrium may be flat.~~
 - ~~• The building incorporates a rounded front on Hudson Street for the full height of the building at a radius within a 10 percent range of the radius depicted on Figure 2.~~
 - ~~• The atrium shall be required to run along the street wall line of Grand Street but may setback from the street wall line on Hudson Street provided that at least 20% of the building facade on Hudson Street will meet the street wall line. The maximum height of the atrium shall not exceed 125 feet at its highest point.~~
 - ~~• No parking stalls shall be located below the second floor mezzanine level.~~
 - ~~• At approximately 150 feet from ground level, the building will stepback 30 feet on Greene Street and Hudson Street and 35 feet on Grand Street so that the width of the building (excluding architectural mast) shall be narrowed to a width of 150 feet in the north-south dimension increasing the view corridor along Grand and York Streets. At approximately 500 feet from ground level, the building shall further narrow to a maximum width of 135 feet in the north-south dimension.~~
 - ~~• Façade material may be of stainless steel and glass, or subject to review and approval of the Jersey City Planning Board, another finished architectural metal and glass may also be utilized. On west facing façade surfaces, glass with visible light reflectance greater than 40% shall be limited to 60% of the surface area.~~

4. Area, Yard and Bulk Requirements

a. Floor Area Ratio

The average Floor Area Ratio (FAR) throughout this district shall not exceed twelve (12) excluding parking and mechanical areas. This calculation shall be based on the area (excluding vacated/rededicated rights-of-way) contained within the Mixed Use District. If any block in this district does not use the entire FAR permitted by the plan, the FAR not used may be transferred to another block or blocks within this district provided that the following conditions are met:

- 1) No building constructed on Tax Block 14505 shall have an FAR in excess of 15 and no building on Tax Block 14507 shall have an FAR in excess of 12.

- 2) No building constructed on Tax Block 14506 shall have an FAR in excess of 12.
- 3) No building constructed on Tax Block 14504 shall have an FAR in excess of 10.
- 4) No building constructed on Tax Block 14502 Lot 12 shall have an FAR in excess of 15 and no building constructed on Tax Block 14502 Lot 13 shall have an FAR in excess of 9. Vacated Morris Street may not be used to calculate FAR and density.
- 5) No building constructed on Tax Block 14303 lot 2 shall have an FAR in excess of 9 in the event of construction of a new building. In the event that the existing building is to be renovated, the F.A.R. shall not be in excess of 10.5.
- 6) If the underground parking garage is developed on Colgate Master Plan sites 3 and 4, the maximum number of parking spaces permitted in such garage may equal the maximum FAR permitted for these sites, whether or not the maximum FAR is developed on these sites or transferred offsite, or reserved for transfer offsite, as provided for in Article XI, paragraph 4.a. hereof. In the event of such transfers of parking spaces and/or FAR, Site Plan approval of the Planning Board shall be required. A formal declaration shall be filed in the deed registry of the Hudson County Register's Office within 30 days of Planning Board approval, setting forth the sending and, if known, the receiving site, and the amount of FAR and/or parking spaces transferred or reserved for transfer, which declaration shall be verified by the Director of the Division of City Planning prior to filing.

b. Density

Density shall be calculated on a per block basis and shall be limited to 550 dwelling units per acre.

c. Coverage

Maximum lot coverage shall not exceed ninety five (95%) percent for both buildings and parking facilities (inclusive of on-grade parking). No part of the remaining site shall be left unimproved. Where two adjoining sites are developed by the same developer and connected by an open air plaza and an underground parking garage, one hundred percent (100%) lot coverage will be permitted.

d. Minimum Lot Size

Minimum lot size shall be 30,000 square feet.

e. Setbacks

- 1) All buildings shall setback a distance which will allow for the provision of a sidewalk with a minimum width of fifteen (15) feet along the west side of Hudson Street as measured from the new curb to the outermost edge of the base of the building.

- 2) All buildings in the Mixed-Use District shall setback a minimum distance of twenty (20) feet from the *original pre-dedication* property line on the east side of Greene Street.
- 3) Notwithstanding the above setback requirements, development on Block 14506 may provide an architectural feature, such as a canopy, along the facade of the base building structure in order to better relate the structure to the pedestrian scale and environment and/or identify major pedestrian and commercial entrances. Said architectural feature may be provided on all street facades. The architectural feature shall not extend more than two (2) feet into the required setback areas on Grand Street, Sussex Street and Greene Street; but shall not extend beyond the required setback along Hudson Street. The height of the architectural feature shall not be less than eleven (11) feet, nor more than twentyfour (24) feet, as measured from the finished sidewalk elevation.

g. Stepbacks

1. All buildings in the Mixed Use District, except any residential building on Block 14504 and any building on Block 14502 Lot 13 that incorporates a base element and a tower element and satisfies all the conditions set forth in Article XI, Section A, paragraph 3.c hereof, shall stepback from the outermost edge of the base of the building on at least three (3) sides at or below the height of one hundred and forty-five feet a minimum of fifteen (15) feet. This requirement may alternatively be fulfilled by the provision of an additional setback at ground level. Stepbacks on Hudson and Greene Streets shall constitute two (2) of the three (3) required stepbacks. Any residential building on Block 14504 shall stepback from the outermost edge of the base of the building on at least two sides at the lower of 100 feet or the height of the building garage, a minimum of fifteen (15) feet. Stepbacks on Hudson Street and Greene Street shall be required.
2. Any building located on the Hudson River Walkway shall stepback from the outer most edge of the base at or below the height of forty (40) feet a minimum of fifteen (15) feet on that façade which fronts on the Hudson River Walkway.

Notwithstanding the foregoing, if the buildings on Block 14052 Lots 12 and 13 are connected by an open air plaza and an underground parking garage, the stepback requirements will be as follows:

The building on Block 14502 Lot 13 shall be required [(a)] to have the following stepbacks from the outermost edge of the base element at a height of 145 feet or such other height as approved by the Planning Board (a) a minimum stepback of 75 feet along Hudson Street; (b) a minimum stepback of 20 feet along vacated Morris Street; (c) a minimum stepback of 10 feet along Sussex Street; and (d) a minimum stepback of 10 feet from the Hudson River Walkway.

The Building on Block 14502 Lot 12 shall be required to have (a) a stepback on Hudson Street of 10 feet or more at or below a height of 115 feet; and (b) shall be recessed at or below 50 feet to create a protected covered walkway along Hudson Street and along Essex Street to the base of any tower element; and (c) at or below 145 feet the tower element shall have a stepback or visual cue along the Waterfront Walkway and Essex Street sides of the building.

5. Building Design Guidelines

a. Base Facade Treatment

- 1) All building facades up to a height of between thirty-five (35) and forty-five (45) feet shall consist of masonry, stone, or textured concrete materials. Glass shall constitute a minimum of seventy-five (75%) percent of the ground floor facade surface area on the facade(s) which are primarily pedestrian oriented. The perimeter of the ground floor of buildings fronting on Grand Street, Hudson Street and Greene Street shall contain retail uses with traditionally designed storefronts or alternatively this same area shall contain retail uses in a 100% glass enclosed atrium having either a flat or curved roof, and fronting on these streets. Greene Street base facades shall employ color schemes and other elements harmonious in scale and material to those found in the Paulus Hook Historic District.
- 2) At the height of between thirty-five (35) and forty-five (45) feet all building facades shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid areas, or any other visual indicator consistent with the design proportions and materials of the base. Said indicator shall be at a consistent height throughout the Mixed-Use District.

b. Guidelines For Buildings Over 250 Feet

- 1) That portion of any building, except a building on Tax Block 14502 lot 12, rising above Two Hundred and Fifty (250) feet shall be considered a "tower element" and shall be limited to forty-five (45%) percent coverage of the building lot. Minimum distance between tower elements on the same or separate lots shall be seventy (70) feet.
- 2) That portion of any building located on Tax Block 14502 Lot 12 rising above One Hundred and Forty- Five (145) feet shall be considered a tower element and shall be limited to forty-five (45%) percent coverage of the building lot. There shall be a maximum of one (1) such tower on Tax Block 14502 Lot 12 .

c. Roof Treatment of Tower Element

- 1) All buildings with a tower element shall provide a significant building top, the design of which shall be encouraged to employ lighting.

d. Parking

- 1) Where a parking or mechanical use occupies the ground floor level of the building, and the structure's primary use is not parking, parking or mechanical uses shall not be allowed to occupy ground floor perimeter areas adjoining any facade of the building that fronts on Grand, Greene or Hudson Streets or the waterfront walkway. Uses compatible with pedestrian activity such as retail, restaurant, building lobbies and commercial spaces shall be encouraged in those locations. Ingress and egress to parking facilities shall not be permitted on these streets. On Block 14303, Lot 2, ingress and egress for parking shall be permitted from Grand Street provided that the existing building is to be utilized and rehabilitated. On Block 14506, egress from parking may be permitted onto Grand Street.
- 2) Use of the ground floor perimeter areas adjoining streets other than Grand and Hudson Streets and the waterfront walkway shall be permitted subject to the provision of one of the following:
 - a) An intervening use (i.e. commercial, retail, lobby, etc.)
 - b) ~~A solid facade articulated in a manner providing visual interest. Ingress and egress to parking garages shall be permitted and shall be exempt from the provisions listed in this Section (2) above.~~
- 3) Above the ground floor on all buildings, *except on the Greene Street frontage*, parking and mechanical uses shall be permitted to occupy the entire floor *reaching to the building edge* provided that the following conditions are met.
 - a) Glass or any other comparable material shall be used in openings resembling the windows provided above and/or below parking levels and if necessary shall be mechanically ventilated.
 - b) Where Section (a) above is impractical, structures may employ natural ventilation provided that openings are screened to give the illusion of indoor uses beyond.
 - c) At a minimum, all forms of screening shall prevent headlight glare.
 - d) Above the thirty-five (35) to forty-five (45) foot level the parking structure portion of the building shall have a similar appearance to the buildings facade above the base facade.
 - e) The material used on the facade of the parking levels of a building shall be the same as, or compatible with, that used on the rest of the building.

Above the ground floor on Greene Street, parking shall be wrapped with residential liner dwelling units to provide residential upper floor frontage along Greene Street. Upper floor residential liner dwelling units above the corner Plaza /Open Space at the intersection of Greene and Grand Streets shall not be required.

The non-wrapped portion of the garage permitted on the upper floors of the plaza shall be of a solid opaque material with no openings or slats so the garage and car inside are not visible from the outside.

- 4) All surface parking and parking structures (where parking is the only use) shall meet the following requirements:
 - a) The building or lot is setback from the property line a minimum of five (5) feet except as necessary to provide ingress and egress.
 - b) The setback area shall be landscaped to provide buffer and visual screening. NOTE: This buffer shall not count as an improved open space credit.
 - c) The building shall be designed to eliminate headlight glare by the provision of opaque screening the full height of the opening or spandrels rising a minimum of forty-two (42) inches from the floor line.
 - d) The facade of the parking structure shall be of a compatible material to that used throughout the redevelopment area.
- 5) Parking requirements can be found in the Parking/Loading Section of this Plan.

6. Open Space Improvements

- a. Improvements to the parkland and waterfront walkway on Block 14502 Lots 10 and 11 are encouraged to be made in conjunction with any development of lots 8, 9, 12, and 13. Any site plan approvals on Blocks 8, 9, 12, and 13 may require such improvements, subject to State of New Jersey approval and funding for the project.

b. Additional Open Space requirements on Block 14507:

- i. The minimum required open space on Block 14507 shall include at least 8,500 square feet of publicly accessible open space, not inclusive of sidewalk areas.***
- ii. Not less than 7,225 sf. of this open space shall be Totally Accessible Open Space; and no more than 15% of this open space shall be used for outdoor café uses and other Limited Access open space, as defined in Section V. B. Open Space / Objectives and Guidelines.***
- iii. The Totally Accessible open space shall be identified on site by a brass plaque. It placement and content and design shall be determined by the Planning Board at the Time of Site Plan application.***

B. Esplanade District

The following blocks and lots shall comprise the Esplanade District.

Block	Lot
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This district is intended to provide for a range of compatible uses in buildings immediately adjoining a major public open space along the water's edge. Building heights are restricted to preserve views from the west and to reinforce the street wall character of Hudson Street. Building mass is encouraged to stepback from the waterfront. Retail activities are encouraged along the waterfront. The eastern boundary of this district shall be defined as the newly constructed or rehabilitated bulkhead and/or wharf proposed as part of the redevelopment of the area.

1. Principal Permitted Uses

- a. Office
- b. Residential
- c. Retail sales
- d. Retail services, except that retail brokerage is prohibited on the ground floor
- e. Museums
- f. Hotels and/or Conference Centers
- g. Restaurants, Banquet Facilities, Bars and Night Clubs
- h. Health Clubs, Recreation Facilities
- i. Theaters/Museums
- j. Day Care Facilities
- k. Public/Quasi Public
- l. Parks/Open Space
- m. Mass Transit Facilities, Roadways, Water Transit Facilities
- n. Appropriate mixed use of any of the above

2. Accessory Uses

- a. Parking Facilities
- b. Fences, Walls and Railings
- c. Signs

3. Maximum Height

Maximum height shall not exceed 145 feet at the Cornice line. Said height shall include parking and mechanical levels. Antennas, rooftop equipment and mechanical penthouse shall be exempt from height calculation. Rooftop equipment and mechanical penthouses shall not be visible from the sidewalk on Hudson Street directly opposite the building.

4. Area, Yard and Bulk Requirements

a. Floor Area Ratio

The average Floor Area Ratio (FAR) throughout this district shall not exceed seven (7) excluding parking and mechanical levels. This calculation shall be based on the upland area only (excluding vacated/dedicated rights-of-way) contained within the Esplanade District. If any block in this district does not use the entire FAR permitted by the Plan, the FAR not used may be transferred to another block or blocks within this district provided that no block has an FAR greater than seven and

one-half (7.5).

b. Density

The average density throughout this district shall not exceed 300 dwelling units per acre. If any block in this district does not use the entire density permitted by the Plan, the density not used may be transferred to another block or blocks within this district provided that no block has a density greater than 325 units per acre.

c. Coverage

Maximum lot coverage shall not exceed ninety (90%) percent for both buildings and parking facilities (inclusive of on-grade parking) subject to compliance with sidewalk and/or waterfront walkway width requirements. No part of the remaining site shall be left unimproved.

d. Minimum Lot Size

Minimum lot size shall be 30,000 square feet.

e. Setbacks

- 1) All buildings shall setback a distance which will allow for the provision of a sidewalk with a minimum width of fifteen (15) feet along the east side of Hudson Street as measured from the new curb to the outermost edge of the base of the building.
- 2) If required by the State of New Jersey all buildings shall provide the necessary setbacks from the property lines on the easternmost edge of the district to allow for the provision of the required Hudson River Walkway.

f. Stepbacks

All building shall provide a stepback a minimum of fifteen (15) feet from the outermost edge of the base of the building along the western edge of the Hudson River Walkway at or below a height of forty (40) feet.

5. Building Design Guidelines

a. Base Facade Treatment

- 1) All building facades up to a height of between thirty-five (35) and forty-five (45) feet shall consist principally of masonry stone or textured concrete materials. Glass shall constitute between thirty (30%) percent and seventy-five (75%) percent of the ground-floor facade surface area on the facades that are primarily pedestrian oriented.
- 2) At the height of between thirty-five (35) and forty-five (45) feet all building facades shall provide a horizontal visual cue, through the use of a cornice,

belt coursing, change in materials or ratio of glass to solid areas, or any other visual indicators consistent with the design proportions and materials of the base. Said indicator shall be at a consistent height throughout the use district.

- 3) As a part of developing the Hudson River Walkway the developer(s) shall be encouraged to repair the existing bulkhead in compliance with State provisions. The extent to which the bulkhead is reconstructed and wharfing added will influence the placement of buildings along the eastern edge of the Esplanade District.

6. Parking

- a. Where a parking or mechanical use occupies the ground floor of the a building, and the structure's primary use is not parking, parking or mechanical uses shall not be allowed to occupy ground floor perimeter areas adjoining any facade of the building that fronts on Grand and Hudson Streets or the waterfront walkway. Uses compatible with pedestrian activity such as retail, restaurant, building lobbies and commercial shall be encouraged in those locations. Ingress and egress to parking facilities shall not be permitted on these streets.
- b. Uses on the ground floor perimeter areas adjoining streets other than Grand and Hudson Streets and the waterfront walkway shall be permitted subject to the following:
 - 1) An intervening use (i.e. commercial, retail, lobby, etc.)
 - 2) A solid facade articulated in a manner providing visual interest. Ingress and egress to parking garages shall be permitted and shall be exempt from the provisions listed in this Section b. above.
- c. Above the ground floor on all buildings, parking and mechanical uses shall be permitted to occupy the entire floor provided that the following conditions are met:
 - 1) Glass or any other comparable material shall be used in openings resembling the windows provided above and/or below parking levels and if necessary shall be mechanically ventilated.
 - 2) Where (1) above is impractical, structures may employ natural ventilation provided that openings are screened to give the illusion of indoor uses beyond.
 - 3) At a minimum, all forms of screening shall prevent headlight glare.
 - 4) Above the thirty-five (35) to forty-five (45) feet level the parking structure portion of the building shall have a similar appearance to the building facade along the base facade.
 - 5) The material used on the facade of the parking levels of a building shall be the same as or comparable to that used on the rest of the building.

- d. All surface parking and parking structures (where parking is the only use) shall meet the following:
 - 1) The building or lot is setback from the property line a minimum of five (5) feet except as necessary to provide ingress and egress to the parking garage.
 - 2) The setback area shall be landscaped to provide buffer and visual screening. NOTE: This buffer shall not count as an improved open space credit.
 - 3) The building shall be designed to eliminate headlight glare by the provision of opaque screening the full height of the opening or spandrels rising a minimum of forty-two inches from the floor line.
 - 4) The facade of the building shall be of a compatible material to that used throughout the redevelopment area.
- e. Parking requirements can be found in the Parking/Loading Section of the Plan.

C. Waterfront Recreation District

The following blocks and lots shall comprise the Waterfront Recreation District.

Block	Lots
14502	8, 9, 10, 11
14503	1, 2, 3, 5, and 6

This district is intended to provide for the development of water-related activities and other uses that create and enhance an active waterfront environment. The western boundary of this district shall be defined as the existing or rehabilitated bulkhead and/or wharf.

1. Principal Permitted Uses
 - a. Marinas and marine service. No upland storage or maintenance shall be permitted.
 - b. Water Transit Facilities
 - c. Parks/Open Space, Recreation Facilities
 - d. Retail sales
 - e. Retail services
 - f. Health Clubs
 - g. Day Care Facilities
 - h. Restaurants, Bars and Nightclubs
 - i. Public/Quasi Public Uses
 - j. Theaters/Museums
 - k. Appropriate mixed use of any of the above
2. Accessory Uses
 - a. Offices
 - b. Helicopter Landing Facilities
 - c. Railings, Fences and Walls

- d. Signs
- 3. Maximum Height
 - a. Maximum height on Block 14503 shall be ten (10) feet.
- 4. Area, Yard and Bulk Requirements
 - a. Floor Area Ratio
 - 1) Shall be regulated by the height and coverage allowed.
 - b. Coverage
 - 1) Lot coverage by new or existing piers shall be limited to fifteen (15%) percent of those portions of Tax Block 14502 Lots 8, 9, and 10 extending from the new or rehabilitated bulkhead and/or wharf on the west and the modified pierhead line on the east. Structures on piers shall be limited to fifty (50%) percent coverage with the uncovered area to be accessible by the public a minimum of 12 hours per day in conjunction with the use of the structure. The uncovered pier area may count as totally accessible open space or limited access open space depending on the hours of operation. (See Section V.B.1a. and 1b.)
 - 2) Lot coverage by enclosed structures located west of the new or rehabilitated bulkhead and/or wharf on Tax Block 14502 Lots 10 and 11 and Block 14503 shall be limited to ten percent (10%) of the above land area of that tax block, and shall be only for park related uses.
 - 3) No enclosed structures shall be allowed on the Dudley Street portion of the Waterfront Recreation District.
 - 4) Design Guidelines
 - a) Development of all walkways shall meet at a minimum the requirements in the Hudson River Waterfront Walkway Plan and Design Guidelines (NJDEP 1984, and all subsequent amendments) and shall be open to the public 24 hours per day.
 - 5) Parking - Parking needs shall be met through the shared usage of parking facilities in other districts.

D. Greene Street Residential District

The following blocks and lots shall constitute the Greene Street Residential District.

Block	Lot
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14403	10
14402	11 & 12
14304	4

This district is intended to provide for the development of compatible residential uses in or immediately adjacent to a historic district. Recognizing the importance of compatible building design, special standards have been developed to ensure that new buildings are harmonious with the design of existing structures, while providing transitional elements linking this district to the mixed-use district to the east.

1. Principal Permitted and Required Uses

- a. Residential
- b. Parks/Open Space
- c. Any development on Block 14403 Lot 10 shall provide (20%) twenty-percent low and moderate-income affordable housing dwelling units as determined by HUD Section 8 Income Guidelines.

2. Accessory Uses

- a. Off-Street Parking and Loading Facilities
- b. Health Clubs/Recreational Facilities serving residential units.
- c. Fences, Walls and Railings
- d. Signs

3. Conditional Uses

- a. Professional Offices
- b. Retail sales, Retail services, Restaurants, Bars, Banquet Facilities, Nightclubs, Health Clubs, Day Care Facilities, Public/Quasi- Public, Museums, limited to the ground floor.
- c. Retail brokerage above the ground floor

4. Maximum Height

- a. Maximum height shall be seventy (70) feet, including parking, mechanical areas. Within fifty (50) feet of existing Historic District buildings along the lot's front property line, buildings shall have a maximum height of forty (40) feet. Mechanical penthouses and rooftop equipment may exceed these height limits subject to the provision of adequate screening.

5. Area, Yard and Bulk Requirements

- a. Minimum lot size shall be 2,500 square feet.
- b. All lots less than 5,000 square feet shall comply with Paulus Hook Historic District zoning.
- c. All lots 5,000 square feet or more shall conform to the following:

1) Floor Area Ratio

The Floor Area Ratio shall not exceed two (2) (excluding vacated/dedicated streets.)

2) Density

Density shall be limited to ninety (90) dwelling units per acre.

3) Coverage

Maximum lot coverage shall not exceed eighty (80%) percent for both building and parking facilities (inclusive of on-grade parking). No part of the remaining lot shall be left unimproved.

4) Setbacks

- a) Front yard shall be a minimum of ten (10) feet, or shall line up with contiguous existing properties.
- b) Rear yard shall be a minimum of fifteen (15) feet, subject to waiver for corner lots.

5) Stepbacks

At or below the height of forty (40) feet all buildings shall provide a twenty (20) foot stepback from the front property line.

6) Design Guidelines

The Design Standards and Guidelines articulated in the Historic Preservation Ordinance of Jersey City shall apply.

7) Parking

The maximum parking standards as articulated in the Historic Preservation Ordinance of Jersey City shall apply.

- d. All lots over 25,000 square feet shall comply with all Area, Yard and Bulk requirements set forth for lots over 5,000 square feet, except:

1) Floor Area Ratio

The FAR shall not exceed two and one-half (2.5) excluding vacated and dedicated area.

2) Density

Density shall be limited to ninety-five (95) dwellings units per acre.

- f. Block 14402, Lots 11 and 12 when developed as one (1) project shall comply with all Area, Yard and Bulk requirements as set forth in Section c. above except that:

1) Floor Area Ratio

The FAR shall not exceed 2.75

2) Height

The maximum height for buildings within fifty (50) feet of historic district lines shall not exceed fifty (50) two (2) inches, excluding a penthouse level.

The penthouse may not exceed seven (7) feet in height and must be setback a minimum of eight (8) feet from the edge of the floor below along the Sussex Street frontage and four (4) feet along Greene Street frontages.

3) Density

The maximum density shall be seventy-six (76) dwelling units per acre.

E. Canal Basin District

The following blocks and lots shall comprise the Canal Basin District.

Block	Lots
14503	1, 2, 3, 5, and 6
14404	1

This district is intended to provide opportunities for residential development in proximity to major recreational open space areas.

1. Principal Permitted Uses

- a. Residential
- b. Restaurants
- c. Retail sales (ground floor only)
- d. Retail services, excluding retail brokerage (ground floor only)
- e. Restaurants, Bars, Banquet Facilities, Nightclubs (ground floor only)
- f. Health Clubs (ground floor only)
- g. Day Care Facilities (ground floor only)
- h. Public/Quasi- Public (ground floor only)
- i. Museums (ground floor only)
- j. Parks/Open Space
- k. Offices (ground floor only)
- l. Museums

2. Accessory Uses

- a. Off-Street Parking and Loading Facilities

- b. Health Clubs, Recreation Facilities
- c. Day Care Facilities
- d. Fences, Walls and Railings
- e. Signs

3. Maximum Height

On Block 14404, maximum height shall be ninety (90) feet including parking and mechanical levels. Rooftop equipment and antennas shall be exempt but shall be screened in such a manner so as to not be visible from the sidewalk on the north side of Essex Street directly opposite the building. On Block 14503, Lots 1, 2, 3, 5 and 6, maximum height shall be seventy-six (76) feet. Elevator and mechanical penthouses shall be exempt from height calculations provided that the total roof top equipment and mechanical penthouse area coverage meet all of the following:

- Does not exceed 10% of the roof area, measured from the building perimeter on all floors
- Does not exceed an additional fourteen (14) feet in height, and
- Such equipment and mechanical penthouses are screened from view with materials harmonious with those used in the building facade and are screened in such a way that the screening appears to be a part of the building and serves to cap the building.

4. Area, Yard and Bulk Requirements

- a. Floor Area Ratio
Block - 14503, Lots - 1, 2, 3, 5, 6
The Floor Area Ratio shall not exceed five and one half (5.5) (excluding vacated/dedicated streets.)

Block - 14404, Lot - 1
The Floor Area Ratio shall not exceed three (3) (excluding vacated/dedicated streets.)
- b. Density
Block - 14503, Lots - 1, 2, 3, 5, 6
Density shall not exceed two hundred (200) dwelling units per acre.
Block - 14404, Lot - 1
Density shall not exceed one hundred and ten (110) dwelling units per acre.
- c. Coverage
Coverage shall not exceed seventy-five (75%) percent for both buildings and parking facilities (inclusive of on-grade parking). No part of the remaining site shall be left unimproved.
- d. Setbacks

Front yard setbacks along Hudson Street shall be 45 feet from the existing R.O.W. in order to maintain an identical view corridor and street-wall extension with the prevailing Hudson Street setback, of the balance of the Colgate Redevelopment Plan area sites.

If required by the State of New Jersey all building shall provide the necessary setback from the property lines on the southwest edge of the district to allow for the provision of the required Hudson River Walkway.

e. Stepbacks

No stepbacks shall be required.

5. Design Guidelines

a. Facade Treatment

- 1) All building facades up to a height of between thirty-five (35) and forty-five (45) feet shall consist principally of masonry, stone or textured concrete materials.
- 2) At the height of between thirty-five (35) and forty-five (45) feet all building facades on Essex Street shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid areas, or any other visual indicators consistent with the design proportions and materials to those found in the Paulus Hook Historic District. Said indicator shall be consistent throughout the Canal Basin District.

b. Parking

- 1) Where a parking or mechanical use occupies the lower levels of a building, and the structure's primary use is not parking, parking or mechanical uses shall be allowed in the GROUND FLOOR perimeter areas adjoining any facade(s) of the building subject to the provisions of the following:
 - a) An intervening use (i.e. commercial, retail, lobby, etc.)
 - b) A solid facade articulated in a manner providing visual interest. Ingress and egress to parking garages shall be permitted and shall be exempt from the provisions listed above.
- 2) Above the ground floor on all buildings, parking and mechanical uses shall be permitted to occupy the entire floor provided that the following conditions are met:
 - a) Glass or any other comparable material shall be used in openings resembling the windows provided above and/or below parking levels and if necessary shall be mechanically ventilated.

- b) Where (a) above is impractical, structures may employ natural ventilation provided that openings are screened to give the illusion of indoor uses beyond.
 - c) At a minimum all forms of screening shall prevent headlight glare.
 - d) The parking structure portion of the building shall have a similar appearance to the building facade above the base facade.
 - e) The material used on the facade of the parking levels of a building shall be the same as or comparable to that used on the rest of the building.
- 3) All surface parking and parking structures (where parking is the only use) shall meet the following requirements:
- a) The building or lot is setback from the property line a minimum of five (5) feet except as necessary to provide ingress and egress to the parking garage.
 - b) The setback area shall be landscaped to provide buffer and visual screening.
 - c) The building shall be designed to eliminate headlight glare by the provision of opaque screening the full height of the opening or spandrels rising a minimum of forty-two (42) inches from the floor line.
 - d) The facade of the building shall be of a compatible material to that used throughout the redevelopment area.
- 4) Parking requirements can be found in the Parking/Loading Section of the plan.
- a) Parking requirements for development on Block - 14503, Lots - 1, 2, 3, 5, 6 may be located on Block 14504, provided it is linked by deed.
 - b) At least one parking space shall be included within the residential leasehold for each of the dwelling units proposed for Blocks 14503 and 14504.

6. Open Space Improvements

Improvements to the parkland on Block 14503, Lot 5, are encouraged to be made in conjunction with any development of the Block 14503 development site. Any subsequent site plan approvals on Block 14503 may require such improvements.

XII. SIGNAGE

A. Building signage shall be subject to the following general restrictions:

- 1. All signs shall be flush mounted and project no more than fifteen (15) inches.
- 2. No sign shall be flashing or animated.
- 3. Roof signs are prohibited.

4. Billboards and signboards are prohibited.
5. Window signs shall not exceed twenty (20) percent of the window surface on which the display appears, and shall be prohibited above the second floor.
6. All signs are subject to site plan review.
7. Kiosks listing tenants and giving directions may be provided but no advertising will be permitted. Such kiosks may not exceed eight (8) square feet of sign area.
8. During construction one (1) sign for each project or development indicating the name of the project or development, general contractor, subcontractor, financing institution and public agency officials (where applicable). The sign area shall not exceed two hundred (200) square feet and shall be attached (where there is an existing structure) or freestanding (where there is new construction).

B. The following additional signage restrictions shall apply to specific uses:

1. Office, Hotel

No sign on any structure shall exceed fifty (50) square feet. Total exterior sign area shall not exceed the equivalent of five (5%) percent of the first story portion of the wall to which it is attached. One (1) use shall be permitted no more than one (1) sign for each street frontage. Buildings with multiple uses shall have not more than one (1) sign per use provided the aggregate area of all signs does not exceed the maximum area permitted for each street frontage.

In addition, one (1) free-standing monument sign shall be permitted around the base of the building, giving address, building name, owner and/or major tenants, which shall not exceed fifty (50) square feet.

2. Residential

One (1) sign per building may be allowed, not to exceed twenty (20) square feet.

3. Parking Garages and Lots

One (1) freestanding or attached sign per parking entrance may be allowed indicating the parking facility by the international parking symbol and a directional arrow. Said sign not to exceed eight (8) square feet. In addition, one (1) freestanding or attached sign per parking entrance may be allowed indicating parking rates, not to exceed eight (8) square feet. Said signs shall be located within ten (10) feet of the entrance.

If necessitated by the circulation pattern, one (1) free-standing sign per street not to exceed four (4) square feet indicating direction/location of a parking facility may be allowed subject to review by City divisions and the Planning Board.

4. Retail Sales, Restaurants and Health Clubs, Theaters and Nightclubs and all other Principal

Permitted and Conditional Uses not listed here.

Each such use fronting on a public street may be allowed one (1) exterior sign not to exceed five (5%) percent of area of the storefront (ground floor) to which it is attached. Theaters and Nightclubs may have a marquee not to exceed forty (40) square feet.

- C. Final installation and operation of the Colgate Clock within the Mixed-Use, Esplanade or Waterfront Districts shall be encouraged and shall not be subject to the size requirements and height specifications listed in this Plan, however, Planning Board approval for the installation of the Colgate Clock shall be required.

XII. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

- A. The "Redevelopment Agencies Law" NJSA 40:55C-1. et. seq., specifically, 40:55C-32 requires that a redevelopment plan shall:

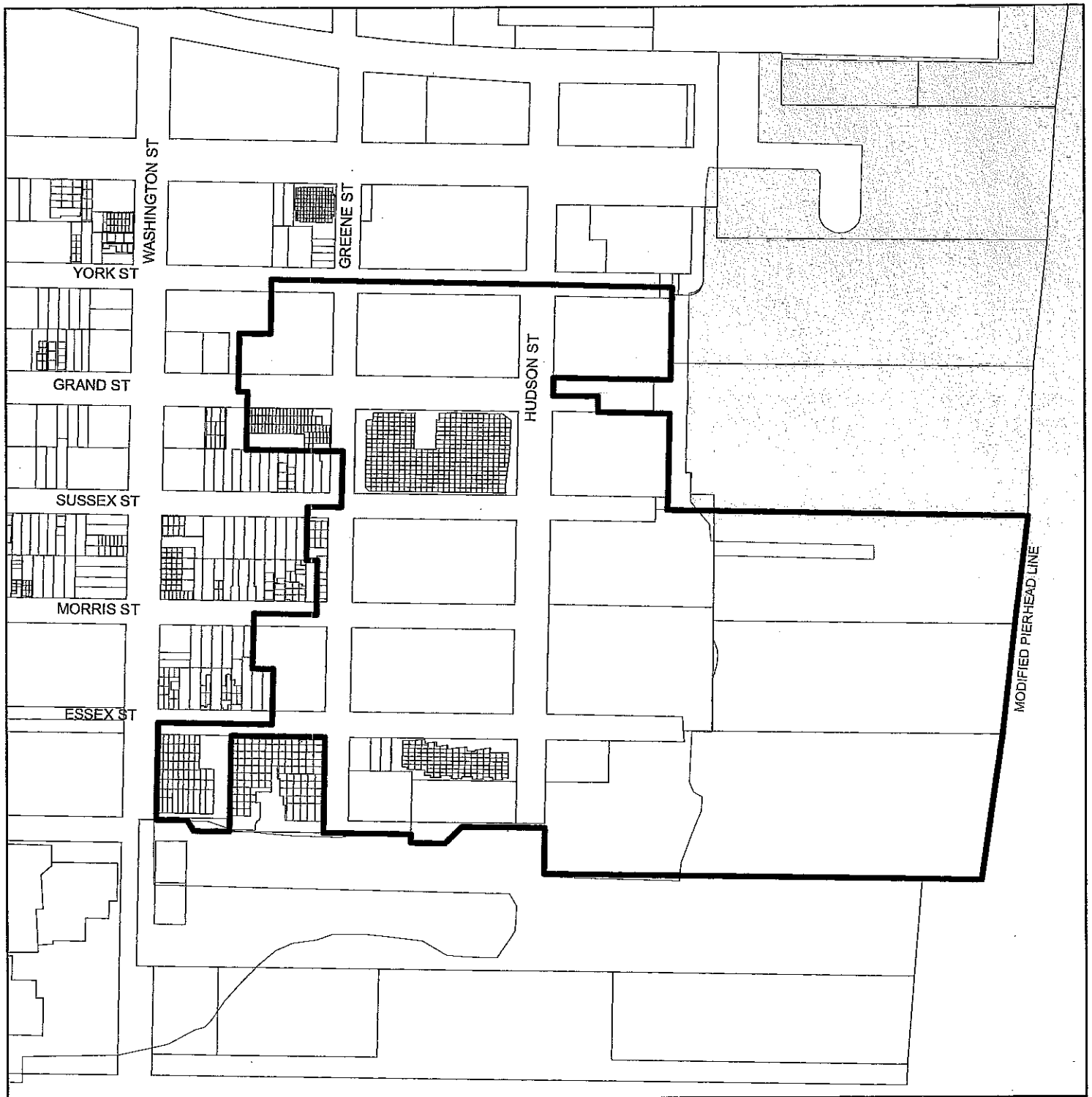
- 1. "Conform to the general plan for municipality as a whole; and
- 2. Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvement, conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements."

- B. In accordance with the State requirements, the following statements are made:

- 1. The proposals of this Plan conform with the general plan for the municipality:
- 2. This Plan provides an outline for the development or redevelopment of the Colgate Redevelopment Area and is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, community facilities, and other public improvements.
- 3. Provisions for the temporary and permanent relocation of persons living in the redevelopment area are not applicable as the area does not contain any residents or residential structures.
- 4. The City of Jersey City, through the services of the Jersey City Redevelopment Agency Relocation Staff, will provide displaced commercial entities with the relocation assistance necessitated by State law. This office will be staffed by qualified personnel who will actively assist displaced businesses in finding adequate accommodations. All businesses being displaced will be interviewed to determine their relocation requirements. The various elements of this Redevelopment Plan set forth above are in compliance with the requirements of State and Local law and there are no additional requirements with respect to a Redevelopment Plan which have not been complied with.

XIII. PROCEDURE FOR CHANGES IN APPROVED PLAN

This Plan may be amended from time to time upon compliance with the requirements of the law. A fee of \$5,000, plus all costs of copying and transcripts, shall be payable to the City of Jersey City for any request to amend this Plan. If there is a designated developer, as provided for under NJSA 40:55C-1 et. seq., said developer shall pay these costs. If there is no developer, the appropriate agency shall be responsible for any and all such costs.



COLGATE REDEVELOPMENT PLAN AREA BOUNDARY MAP

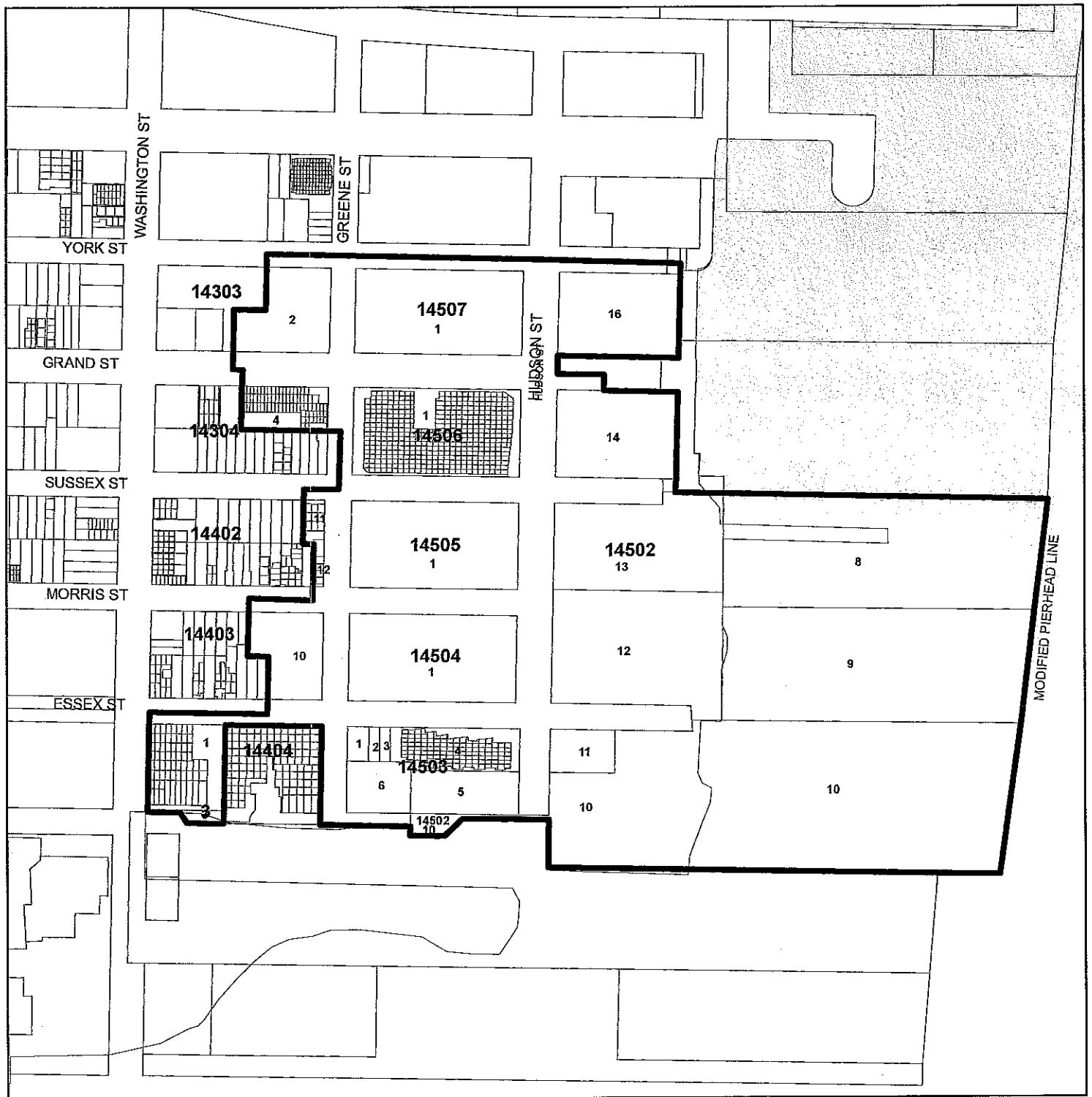


Legend

 Colgate Redevelopment Plan Boundary

January 17, 2013

0 150 300 600 900 1,200 Feet



COLGATE REDEVELOPMENT PLAN AREA

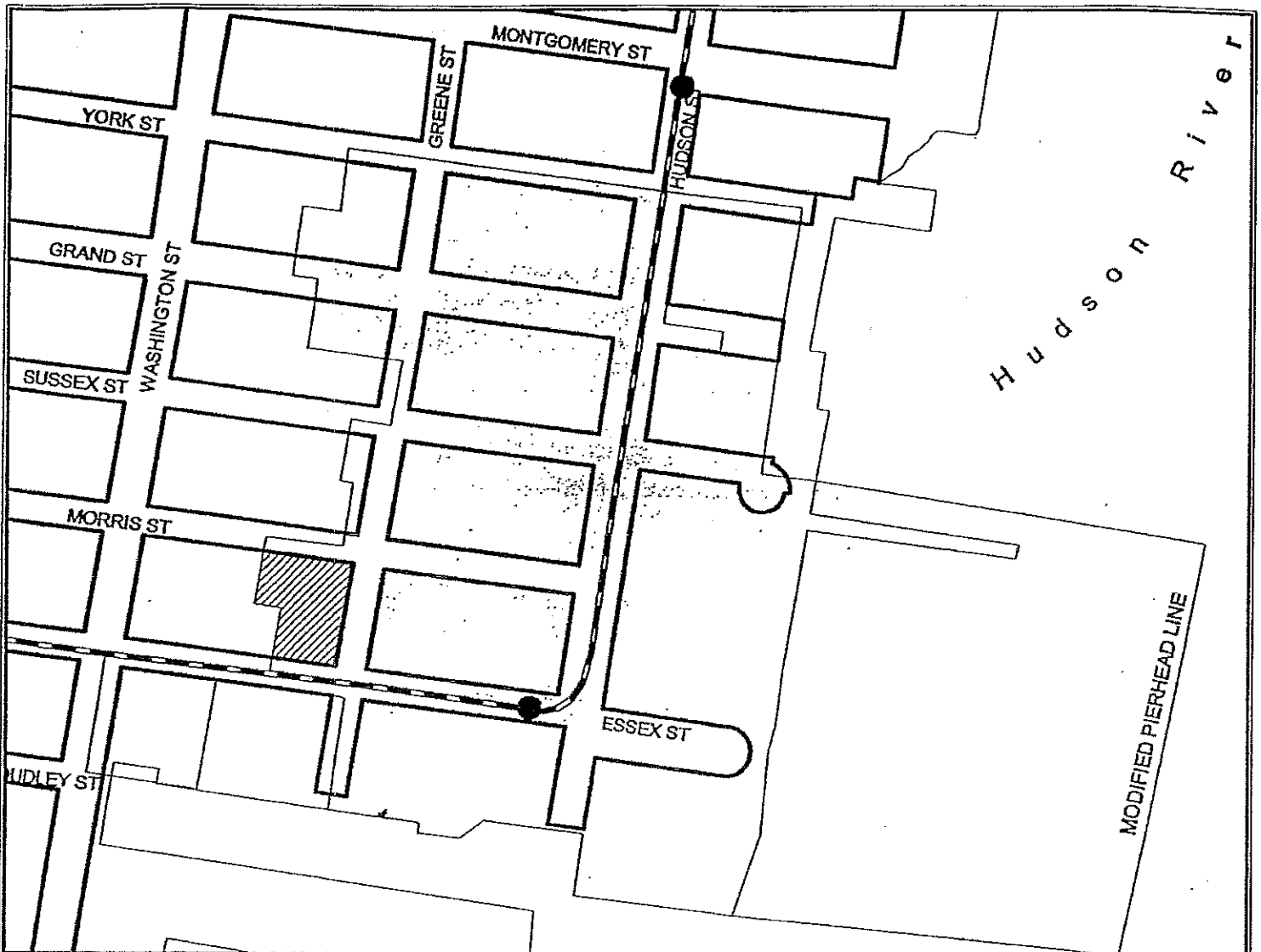
BOUNDARY AND TAX MAP

Legend

 Colgate Redevelopment Plan Boundary

January 17, 2013

0 150 300 600 900 1,200 Feet



COLGATE REDEVELOPMENT AREA

AQUISITION MAP

- Light rail stops
- Light rail
- ▨ Area to be Acquired
- ▤ Area not to be Acquired

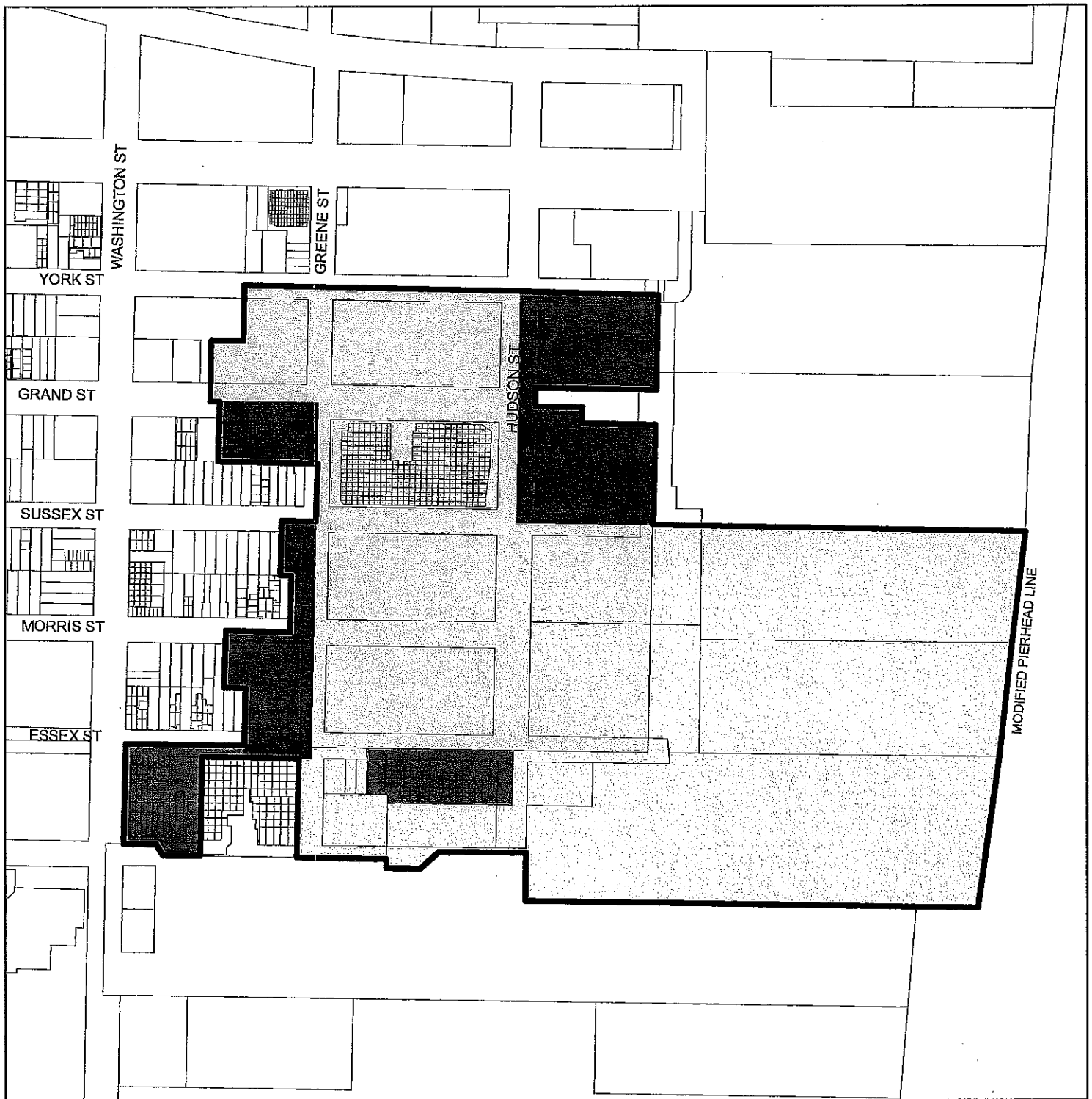


Division Of City Planning

April 2000



200 0 200 400 Feet



COLGATE REDEVELOPMENT PLAN AREA

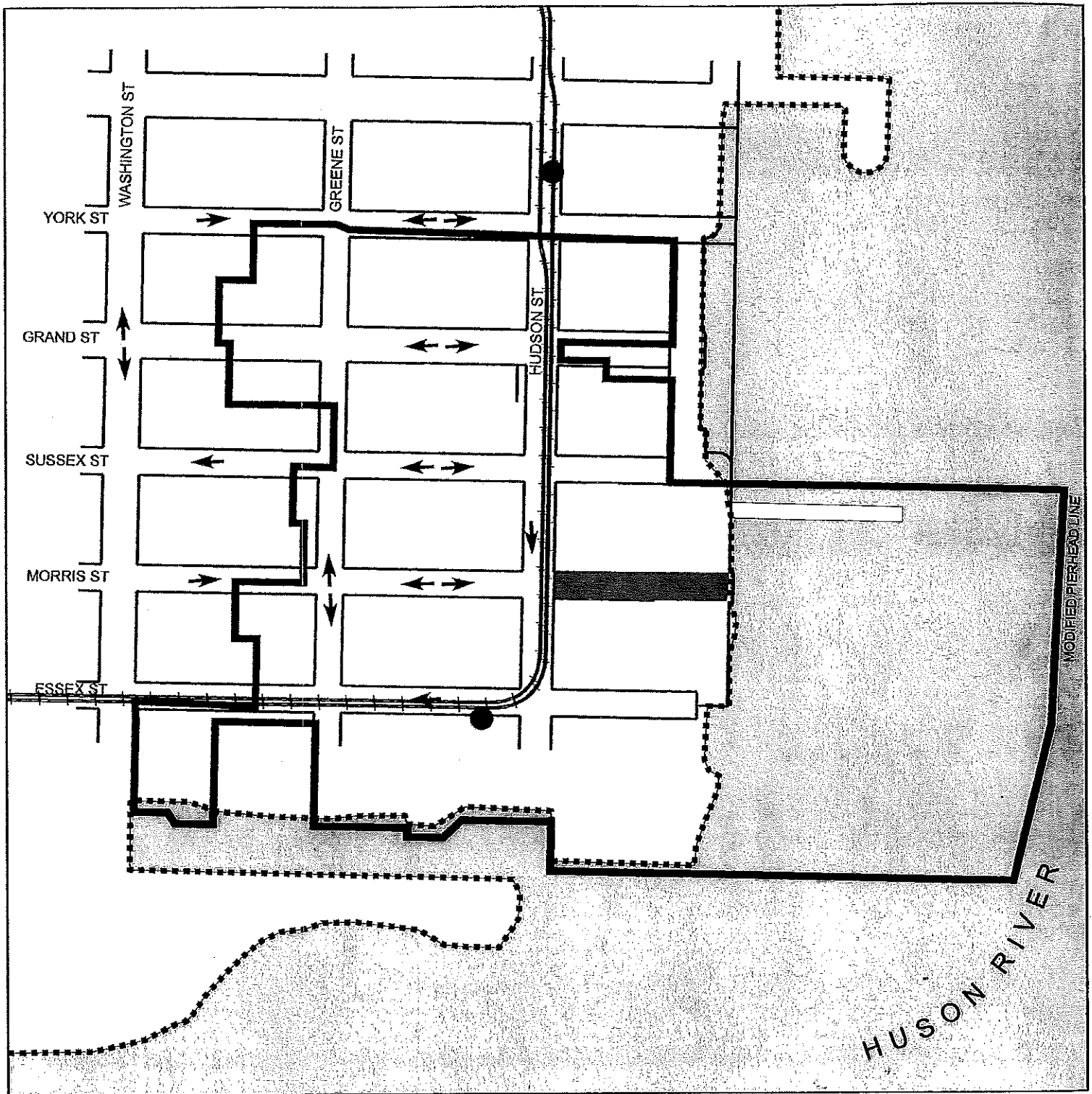
LAND USE MAP

Legend

- Canal Basin
- Esplanade District
- Greene Street Res
- Mixed Use
- Waterfront Recreation

January 17, 2013





0 150 300 600 900 1,200 Feet



COLGATE REDEVELOPMENT PLAN AREA

CIRCULATION MAP

Legend

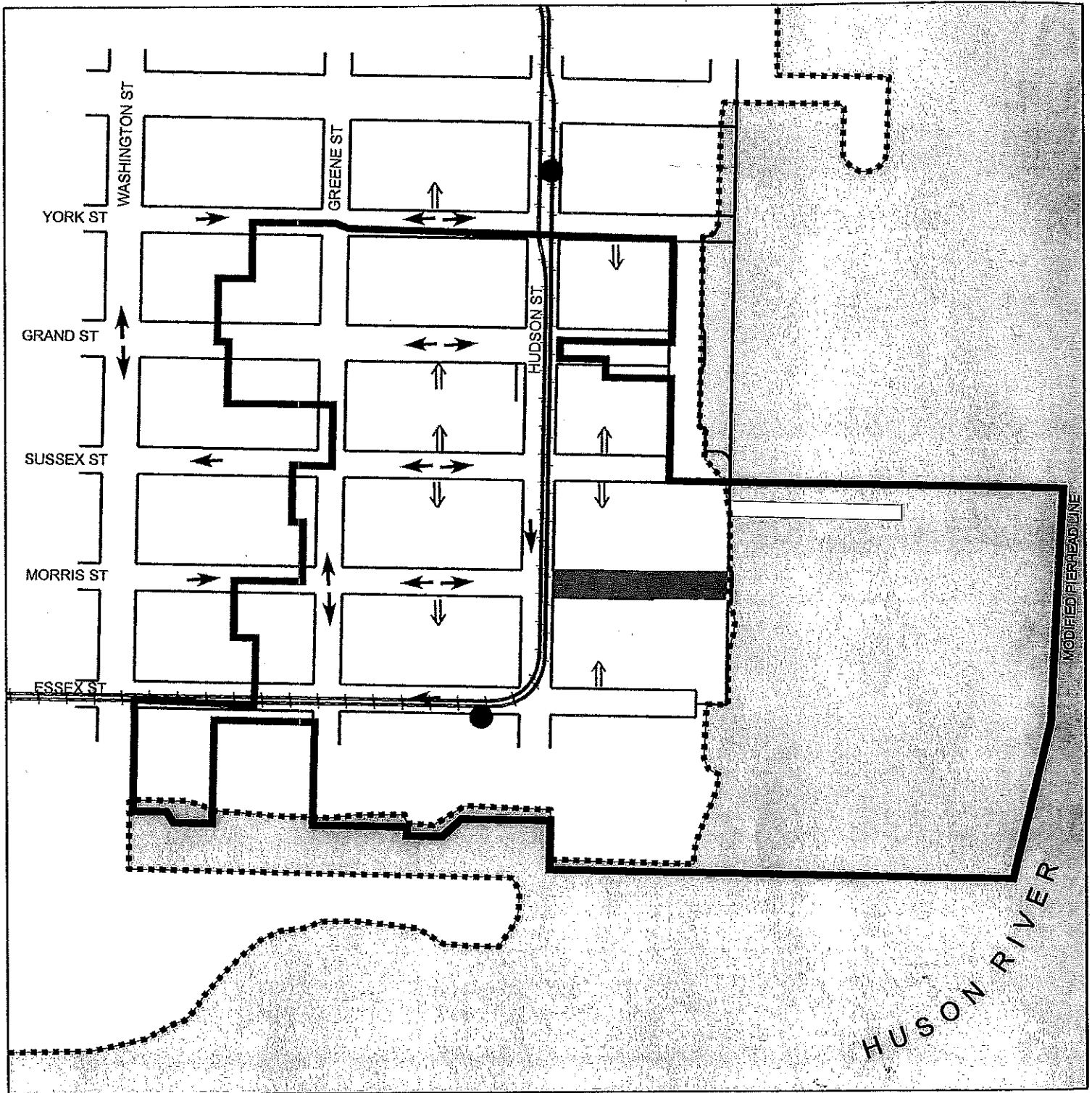
-  Redevelopment Plan Area
-  60' ROW or 70' Pedestrian Atrium
-  Waterfront Walkway
-  Light Rail and Station



Division Of City Planning

December 8, 2014





0 150 300 600 900 1,200 Feet



COLGATE REDEVELOPMENT PLAN AREA

CIRCULATION MAP

Legend

-  Redevelopment Plan Area
-  60' ROW or 70' Pedestrian Atrium
-  Waterfront Walkway
-  Light Rail and Station

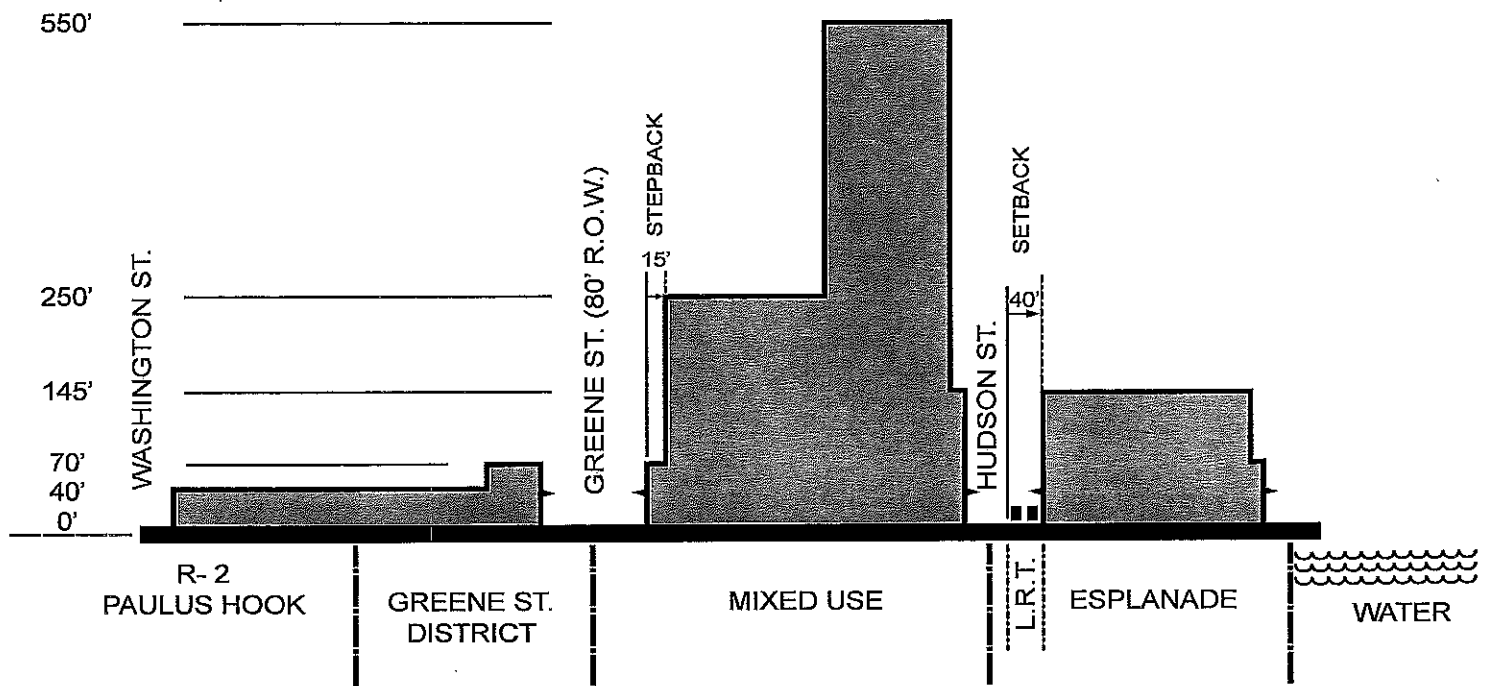


Division Of City Planning

February 22, 2006

0 150 300 600 900 1,200 Feet

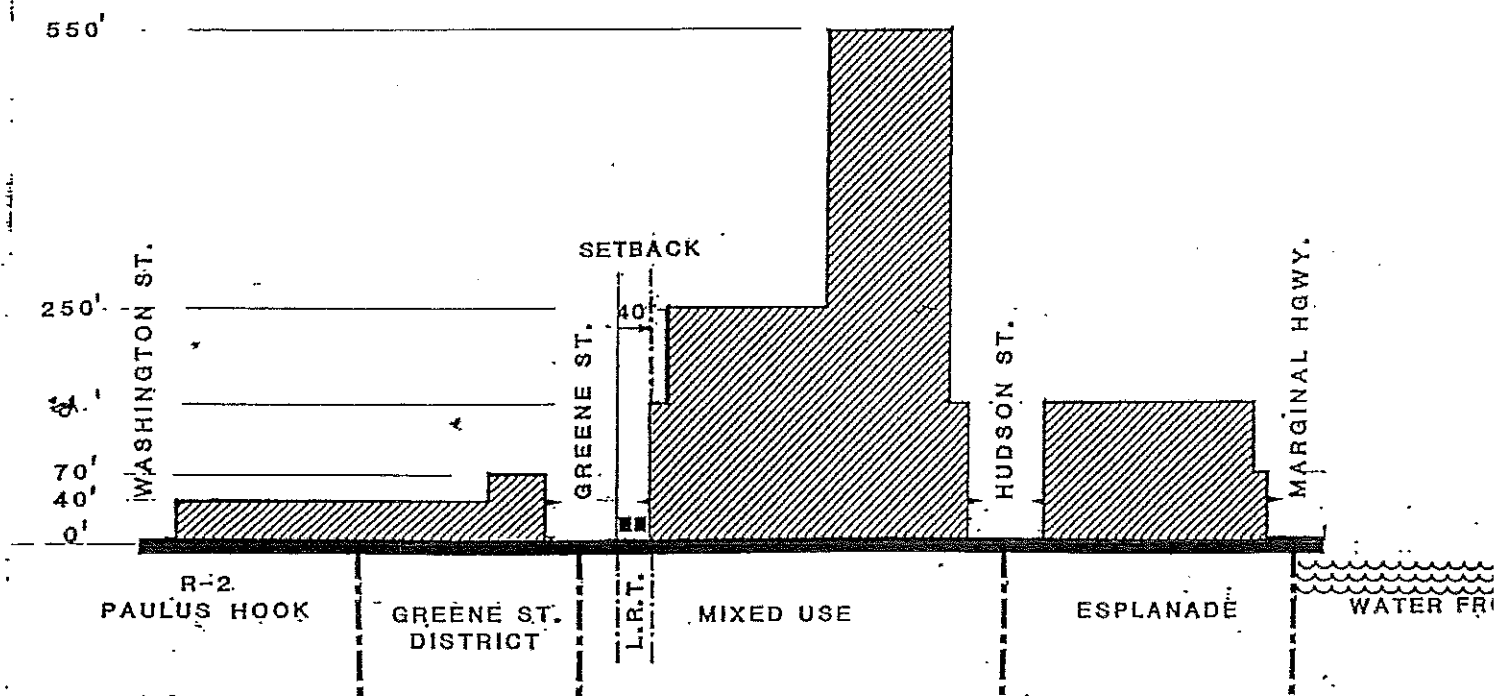
COLGATE REDEVELOPMENT AREA



TYPICAL CROSS SECTION LOOKING NORTH BETWEEN
GRAND AND SUSSEX STREETS

1. MAXIMUM BUILDING ENELOPE
2. SET BACKS
3. STEP BACKS
4. VISUAL CUE LINE
5. MAXIMUM HEIGHT

FIGURE 7
DECEMBER 2014



COLGATE REDEVELOPMENT AREA

TYPICAL CROSS SECTION LOOKING NORTH BETWEEN
GRAND AND SUSSEX STREETS

1. MAXIMUM BUILDING ENVELOPE
2. SET BACKS
3. STEP BACKS
4. VISUAL CUE LINE
5. MAXIMUM HEIGHT

FIGURE 7
JANUARY 1989

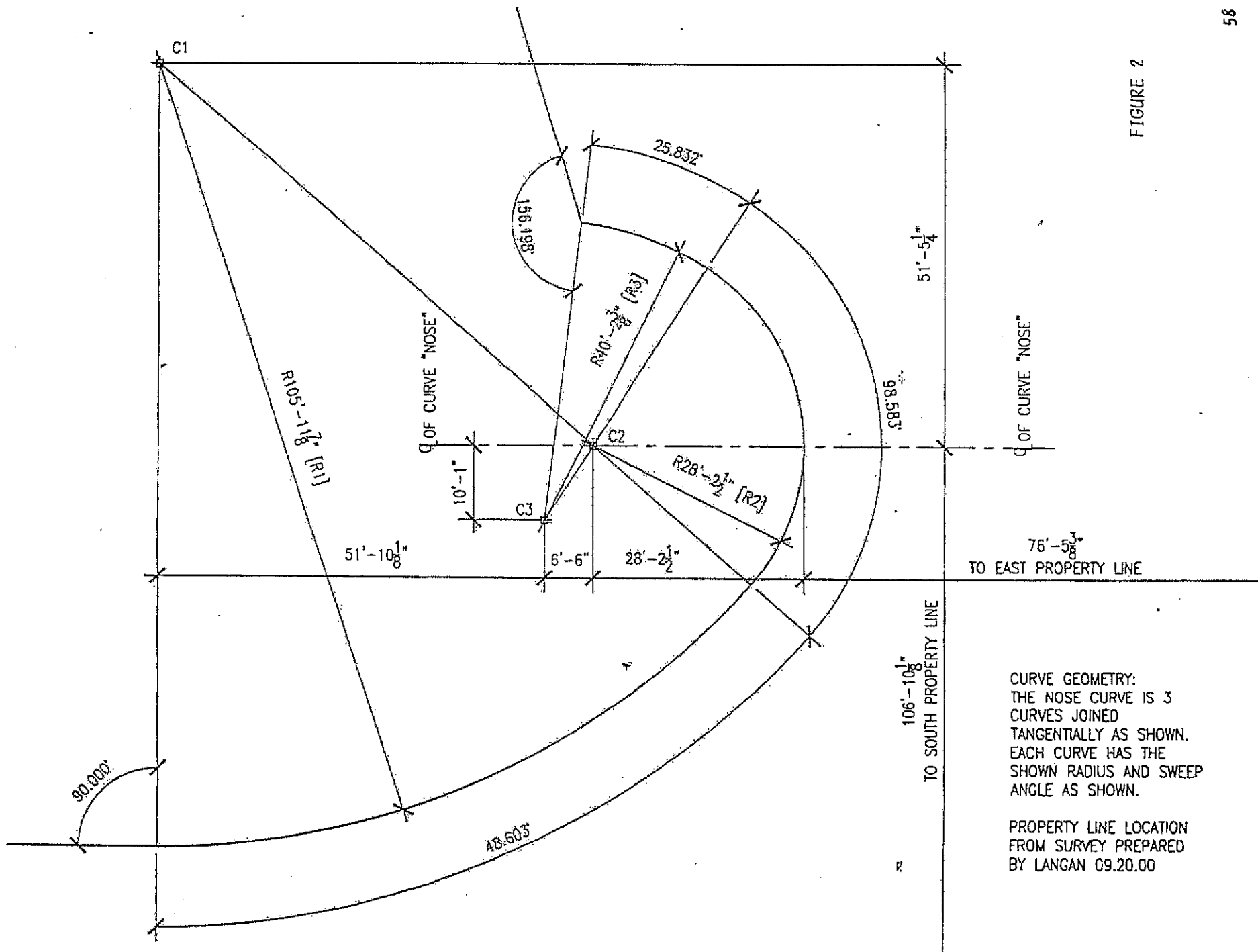


FIGURE 2

City Clerk File No. Ord. 15.015
Agenda No. 3.D 1st Reading
Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.015

TITLE:

An ordinance granting permission to WILLOW AVENUE REALTY ASSOCIATES, L.P., its successors and assigns, to improve and use that approximately five (5) foot by ten (10) foot portion of the public right-of-way between the sixty (60) foot right-of-way adjacent to Morgan Street and Lot 9, Block 13002, on the official tax assessment map of the City of Jersey City for the construction of a six (6) step stoop, entrance stairway which encroaches five (5) feet onto the public right-of-way along Morgan Street. (Franchise Ordinance)

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, WILLOW AVENUE REALTY ASSOCIATES L.P. (the "Petitioners") have filed a Petition with the Municipal Council of the City of Jersey City, requesting a franchise within the Morgan Street right-of-way as more particular described on the written description and sketch prepared by Caulfield Associates LLP and dated September 17, 2014 attached hereto and made a part hereof as Exhibit "A" and accompanying Metes and Bounds Descriptions prepared by Caulfield Associates LLP attached hereto and made a part hereof as Exhibit "B", said Petition and Survey being on file with the office of the City Clerk; and

WHEREAS, the Petitioners are the owners of Lot 9 in Block 13002 (the "Property"); and

WHEREAS, currently the proposed franchise area is a public sidewalk; and

WHEREAS, the Petitioners propose to construct a new three (3) story building, single family home with two (2) onsite parking spaces (the "Project") which is as of right and requires no site plan approvals or variances from the Jersey City Municipal Ordinance; and

WHEREAS, the franchise area would allow for the construction of a six (6) step stoop, entrance stairway which will be 5' in length x 9.4' in width; and

WHEREAS, the area in question is located between the sixty (60) foot right-of-way adjacent to Morgan Street and Lot 9, Block 13002 on a currently existing fifteen (15) foot public sidewalk. In order to construct the construction the six (6) step stoop, entrance stairway, the Petitioners request permission to use the approximately five (5) foot by ten (10) foot portion of existing fifteen (15) foot public sidewalk along Morgan Street and adjacent to Lot 9 Block 13002; and

WHEREAS, Petitioners, their successors and assigns, have made application to the Municipal Council of the City of Jersey City by written Petition for the franchise herein referred to:

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

SECTION 1: Permission is hereby granted to Petitioners, their heirs and successors, to construct a six (6) step stoop, entrance stairway which will be 5' in length by 9.33' in width in the existing fifteen (15) foot public sidewalk as more particularly delineated in Exhibit A along Second Street adjacent to Lot 9 Block 13002.

SECTION 2: This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioner one year prior to the date of cancellation.

SECTION 3: Only with prior written consent and approval by the City Council of the City of Jersey City, which consent and approval shall not be unreasonably withheld, shall Petitioners have the right to assign or otherwise transfer their rights under this Franchise Ordinance.

SECTION 4: In accepting the privileges under this ordinance and in the maintenance and the use herein authorized, Petitioners, their successors and/or assigns shall agree to assume full, complete, and undivided responsibility for any and all injury and damages to persons or property by reason of such maintenance and use and to indemnify and hold the City of Jersey City harmless from any injury or damage to persons or property by reason of such maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance.

- a) Petitioners, their successors and/or assigns, shall maintain in effect, during the term of this franchise, liability insurance naming the City of Jersey, its officers and employees as additional insured, covering the use and occupancy of the franchise portion of Morgan Street. A Certificate of Insurance, in the amount of \$2,000,000.00 and in a form deemed acceptable by the City's Risk Manager, shall be delivered to the City's Risk Manager before use or occupancy of the premises subject to this Franchise Ordinance commences.

SECTION 5: After construction, there shall remain no damage to the area or interference with the free and safe flow of pedestrians. The Petitioners shall maintain all improvements installed by them for the entire term of the franchise at no cost to the City of Jersey City.

SECTION 6: The costs and expenses incidental to the introduction, passage and publication of this Ordinance shall be paid by the Petitioners.

SECTION 7: The Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioners with the City Clerk.

SECTION 8: In the event that the Petitioners shall not file with the City Clerk, their acceptance, in writing, of the provisions of this Ordinance within thirty (30) days after receiving notice of its passage, this Ordinance shall become void and be of no effect.

SECTION 9: For the Franchise herein granted, the Petitioners shall pay annually to the City of Jersey City the sum of ONE DOLLAR (\$1.00), which payment shall be made in advance to the City Finance Director, at his/her office in City Hall, on the first day of January in each year after this Ordinance becomes effective and remains in force.

SECTION 10: This Franchise Ordinance shall be subject to the following conditions:

- a) An easement upon the portion of the Property subject to this Franchise Ordinance is hereby reserved for the benefit of the City of Jersey City and all public utility companies for the benefit of the City of Jersey City and all public utility companies for the purpose operating, maintaining, inspecting, protecting, repairing, replacing or reconstructing any existing water, sewer or utility lines together with the right of ingress and egress at all times for such purposes and all other purposes in connection with or in any way relating to the City of Jersey City's, or public utility companies', use or operation of water, sewer or utility lines.
 - b) No building or structure of any kind may be construed over the water or sewer utilities within the area subject to this franchise without the consent of the Chief Engineer of the City of Jersey City.
 - c) The Petitioners shall construct a six (6) step stoop, entrance stairway which will be 5' in length x 9.33' in width in the existing fifteen (15) foot public sidewalk as more particularly delineated in Exhibit A along Second Street adjacent to Lot 9 Block 13002.
-
- A) All Ordinances and parts of Ordinance inconsistent herewith are hereby repealed.
 - B) This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C) This Ordinance shall take effect at the same time and in the manners provided by law.
 - D) The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of the existing provisions.

Note: All material is new; therefore, underlining has been omitted.

For the purposes of advertising only, new material is indicated by bold face and repealed matter by italic.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

PETITION

TO: THE HONORABLE MAYOR AND MUNICIPAL
COUNCIL OF THE CITY OF JERSEY CITY

Your petitioner, Willow Avenue Realty Associates, L.P. (the "Petitioner"), being the owner of 133.5 Morgan Street, Jersey City, New Jersey, their successors and assigns, having offices at 47 Mill Road, Jersey City, New Jersey, 07302:

1. The Petitioner owns the real property in the City of Jersey City as follows:

Block: 13002, Lot: 9

Known as 133.5 Morgan Street, Jersey City, New Jersey (the "Property").

2. A new three (3) story building, single family home with two (2) onsite parking spaces (the "Project") is currently being developed on the Property.

3. The Project is as of right and requires no site plan approvals or variances from the Jersey City Municipal Ordinance.

4. In connection with the development of the Project, the Petitioner proposes to construct a six (6) step stoop, entrance stairway which will be 5' in length x 9.33' in width in an existing fifteen (15) foot public sidewalk (the "Improvement"). The Improvement will be located within the Morgan Street right-of-way and is located as more particularly described in the survey prepared by Caulfield Associates LLP and dated September 17, 2014 attached hereto and made a part hereof as Exhibit "A" and accompanying Metes and Bounds Descriptions prepared by Caulfield Associates LLP attached hereto and made a part hereof as Exhibit "B", (the "Franchise Area"). Petitioner requests permission to use the Franchise Area to construct and maintain the Improvement.

WHEREFORE, Petitioners respectfully request for themselves, their successors and assigns, permission to use the Franchise Area within the Second Street right-of-way as more particularly described on the survey prepared by Caulfield Associates LLP and dated September 17, 2014 attached hereto and made a part hereof as Exhibit A.

Willow Avenue Realty Associates, L.P.

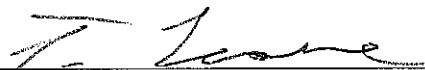

By: Tom Lenne, Esq.
Title: Authorized Signatory
Date: October 20, 2014

EXHIBIT A

P.L. CAULFIELD, JR.
N.J. LIC. NO. 16757

JOSEPH T. CAULFIELD
N.J. LIC. NO. 37579

CAULFIELD ASSOCIATES, LLP.

PROFESSIONAL LAND SURVEYOR
132 MADISON STREET
HOBOKEN, N.J. 07030

TELEPHONE (201) 792-0445
FAX (201) 792-7714

JOB NO.

FRANCHISE EASEMENT FRONTING PROPERTY AT 133.5 MORGAN STREET

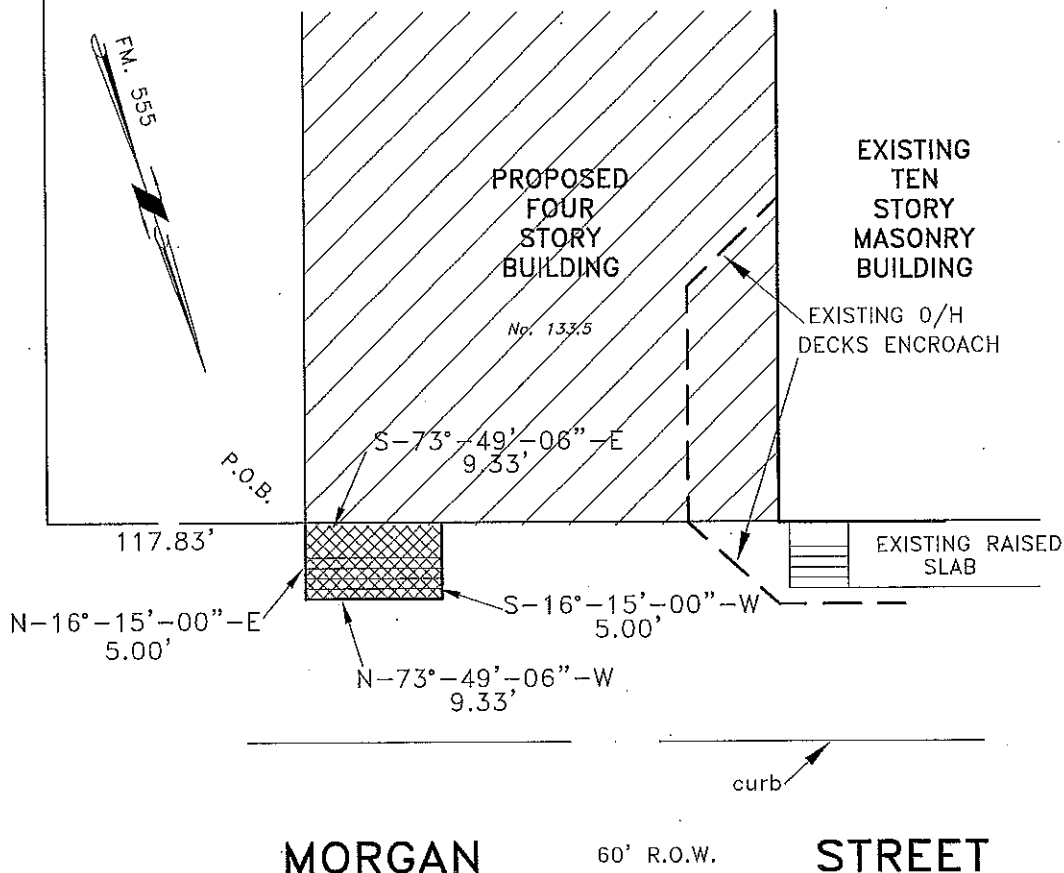
BEGINNING AT A POINT IN THE SOUTHERLY LINE OF MORGAN STREET, A DISTANCE OF 117.83 FEET WESTERLY FROM ITS INTERSECTION WITH THE WESTERLY LINE OF WARREN STREET, RUNNING THENCE:

1. N-16°-15'-00"-E AND ONTO THE R.O.W. OF MORGAN STREET, A DISTANCE OF 5.00 FEET TO A POINT, THENCE
2. N-73°-49'-06"-W AND CONTINUING ALONG THE R.O.W. OF MORGAN STREET, A DISTANCE OF 9.33 FEET TO A POINT, THENCE
3. S-16°-15'-00"-W A DISTANCE OF 5.00 FEET TO A POINT IN THE WESTERLY LINE OF GARDEN STREET, THENCE
4. S-73°-49'-06"-E ALONG THE WESTERLY LINE OF MORGAN STREET, A DISTANCE OF 9.33 FEET TO A POINT, SAID POINT OR PLACE OF BEGINNING

KNOWN AS FRONTING LOT 9 IN BLOCK 13002 (FORMERLY KNOWN AS BLOCK 139, LOT 24) ALONG MORGAN STREET, COMMONLY KNOWN AS 133.5 MORGAN STREET, JERSEY CITY, NJ. EASEMENT INCLUDES STAIRS ALONG MORGAN STREET, SAID FRANCHISE ORDINANCE AREA IS 46.6 SQ. FT.

STREET

WARREN



PROPOSED SKETCH FRONTING PROPERTY

LOCATED AT 133.5 MORGAN STREET
..... JERSEY CITY, HUDSON CO., N.J.

BLOCK 13002

LOT 9

DATE SEPTEMBER 17, 2014

SCALE 1 INCH = 10 FEET

A written "Waiver and Direction Not to Set Corner Markers," has been obtained from the ultimate user pursuant to P.L. 2003, c.14 (N.J.S.A. 45:8-36.3) and N.J.A.C. 13:40-5.1(d).

THIS SURVEY IS NOT TO BE USED AS A BASIS FOR ANY CONSTRUCTION. IT IS SUBJECT TO THE FACTS REVEALED BY AN ACCURATE AND COMPLETE TITLE SEARCH. THE CERTIFICATION IS MADE ONLY TO THE PARTIES NAMED HEREON, AND IS NONTRANSFERABLE. BEARINGS ARE RELATIVE.

P.L. CAULFIELD, JR.
PROF. LAND SURVEYOR
N.J. LIC. NO. 16757

EXHIBIT B



CAULFIELD ASSOCIATES, LLP.

PROFESSIONAL LAND SURVEYORS

132 MADISON STREET
HOBOKEN, NEW JERSEY 07030

Telephone: (201) 792-0445
FAX: (201) 792-7714

www.surveyornj.com

FRANCHISE EASEMENT FRONTING PROPERTY AT 133.5 MORGAN STREET, JERSEY CITY, NEW JERSEY.

Beginning at a point in the southerly line of Morgan Street, a distance of 117.83 feet westerly from its intersection with the westerly line of Warren Street, and running, thence

1. N-16°-15'-00"-E, and onto the R.O.W. of Morgan Street, a distance of 5.00 feet to a point, thence
2. N-73°-49'-06"-W, and continuing along the R.O.W. of Morgan Street, a distance of 9.33 feet to a point, thence
3. S-16°-15'-00"-W, a distance of 5.00 feet to a point in the westerly line of Morgan Street, thence
4. S-73°-49'-06"-E, along the westerly line of Morgan Street, a distance of 9.33 feet to a point, said point or place of beginning

Known as fronting Lot 9, Block 13002 (formerly known as Block 139, Lot24) along Morgan Street, commonly known as 133.5 Morgan Street, Jersey City, New Jersey. Easement includes stairs along Morgan Street, said Franchise Ordinance area is 46.6 Sq. Ft.

City Clerk File No. Ord. 15.016

Agenda No. 3.E 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.016

TITLE: A Franchise Ordinance granting permission to PUBLIC STORAGE, its successors and assigns, to make improvements in the First Street, Second Street, Provost Street and Warren Street right of way adjacent to the property located at 124-142 First Street, also known as Block 11503, Lot 1 on the Tax maps of the City of Jersey City, New Jersey.

WHEREAS, Public Storage, (the "Petitioner") having offices at 499 Mill Road, Edison, New Jersey, 08837, is the owner of the property located at 124-142 First Street, Jersey City, also referred to as Block 11503, Lot 1 on the current tax maps of the city of Jersey City (the "Property"); and

WHEREAS, the Property is a Landmark and Petitioner applied for and obtained a Certificate of No Effect for the rehabilitation of the existing warehouse facility into a retail self-storage facility from the Jersey City Historic Preservation Commission (the "Project"); and

WHEREAS, the Property is located within the Powerhouse Arts District Redevelopment Plan and Petitioner applied for and obtained Preliminary and Final Major Site Plan Approval with variances from the Jersey City Planning Board for the Project; and

WHEREAS, the Project includes repair to the building façade, the loading docks, repair of the existing stairways, the construction of handicap-accessible ramps, the construction of new sidewalks, and the removal and replacement of the existing canopies; and (the "Improvements"); and

WHEREAS, several of the proposed Improvements are located within a portion of the First Street, Second Street, Provost Street, and Warren Street public rights-of-way, which is more particularly depicted and described in the on the surveys prepared by Dresdner Robin attached hereto and made a part hereof as Exhibit A-1, B-1, and C-1 and accompanying Metes and Bounds descriptions prepared by Dresdner Robin attached hereto and made a part hereof as Exhibit A-2, B-2, and C-2, respectively; and

WHEREAS, the Improvements include repairs to the building façade, the loading docks, and the construction of new sidewalks along certain portions of the building to allow for more efficient pedestrian walkways; and

WHEREAS, the Petitioner is required to file the Petition for a Franchise Ordinance to make any private improvements within the public right-of-way; and

WHEREAS, after due notice was given in accordance with law, a public hearing was held on the Petition filed by Public Storage, to grant permission to construct private improvements within the public right-of-way for the following purposes:

1. The improvements will include repairs to the building façade, the loading docks, repair of the existing stairways, the construction of handicap-accessible ramps, the construction of new sidewalks, and the removal and replacement of the existing canopies that will be located within a portion of the First Street, Second Street, Provost Street, and Warren Street public rights-of-ways, respectively.
2. There will be sufficient area in the right-of-way for typical pedestrian use.
3. All costs associated with these improvements will be incurred by the Petitioner, and there being no objections thereto.

WHEREAS, the Jersey City Zoning Officer and the Building Department can approve the construction of the Improvements at the Property conditioned upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City; and

WHEREAS, a franchise ordinance is required to permit the construction of the Improvements within the public right-of-way; and

WHEREAS, by reason of the character of the development of the area within which this property is situated, and the use of the right-of-way by the public, the said Improvements will enhance the aesthetic character of the Property and greatly benefit Jersey City and the surrounding neighborhood; and

WHEREAS, the public interest will be served by said Improvements, which will be of great benefit to the citizens of Jersey City and Hudson County, and the rights of the public will not be injuriously or adversely affected by the requested relief;

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

SECTION 1: Permission is hereby granted to Petitioner, its heirs and successors, to complete private improvements on the Property and portions of lands located within the public rights of way adjacent thereto, said areas more particularly depicted and described on the surveys prepared by Dresdner Robin attached hereto and made a part hereof as Exhibit A-1, B-1, and C-1 and accompanying Metes and Bounds descriptions prepared by Dresdner Robin attached hereto and made a part hereof as Exhibit A-2, B-2, and C-2, respectively.

1. The improvements include repair to the building façade, the loading docks, repair of the existing stairways, the construction of handicap-accessible ramps, the construction of new sidewalks, and the removal and replacement of the existing canopies that will be located within the First Street, Second Street, Provost Street, and Warren Street public rights-of-way.
2. There will remain sufficient area in the right-of-way for typical pedestrian use.
3. The improvements will be constructed consistent with the Plans approved by the Planning Board of the City of Jersey City, the Historic Preservation Commission and Building Department.
4. All costs associated with these improvements will be incurred by the Petitioner.
5. The improvements are necessary for the rehabilitation of the Project consistent with the development approvals and will greatly benefit the Petitioner's property and the surrounding neighborhood.

SECTION 2: All the work herein authorized shall be done under the supervision of the proper department or departments of the City of Jersey City. Further, all the work herein authorized shall comply with any State of New Jersey Uniform Construction Code requirements. The construction plans shall be submitted to the City Engineer for his review and comments prior to the start of construction.

SECTION 3: This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioner one year prior to the date of cancellation.

SECTION 4: Only with prior written consent and approval by the City Council of the City of Jersey City, which consent and approval shall not be unreasonably withheld, shall Petitioner have the right to assign or otherwise transfer their rights under this Franchise Ordinance.

SECTION 5: In accepting the privileges under this ordinance and in the maintenance and the use herein authorized, Petitioner, their successors and/or assigns shall agree to assume full, complete, and undivided responsibility for any and all injury and damages to persons or property by reason of such maintenance and use and to indemnify and hold the City of Jersey City harmless from any injury or damage to persons or property by reason of such maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance.

- a) Petitioner, their successors and/or assigns, shall maintain in effect, during the term of this franchise, liability insurance naming the City of Jersey, its officers and employees as additional insured, covering the use and occupancy of the franchise portion of First Street, Second Street Provost Street and Warren Street. Petitioner shall carry a Two Millions Dollars (\$2,000,000.00) General Liability Insurance policy. Before commencing the Project, Petitioner shall furnish the City certificates of such insurance upon execution of this Petition, and the City of Jersey City, its agents, servants shall be named as additional named insured.

SECTION 6: After construction, there shall remain no damage to the area or interference with the free and safe flow of pedestrians. The Petitioner shall maintain all improvements installed by them for the entire term of the franchise at no cost to the City of Jersey City.

SECTION 7: The costs and expenses incidental to the introduction, passage and publication of this Ordinance shall be paid by the Petitioner.

SECTION 8: The Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioner with the City Clerk.

SECTION 9: In the event that the Petitioner shall not file with the City Clerk, its acceptance, in writing, of the provisions of this Ordinance within thirty (30) days after receiving notice of its passage, this Ordinance shall become void and be of no effect.

SECTION 10: For the Franchise herein granted, the Petitioner shall pay annually to the City of Jersey City the sum of ONE DOLLAR (\$1.00), which payment shall be made in advance to the City Finance Director, at his/her office in City Hall, on the first day of January in each year after this Ordinance becomes effective and remains in force.

SECTION 10: This Franchise Ordinance shall be subject to the following conditions:

- a) An easement upon the portion of the Property subject to this Franchise Ordinance is hereby reserved for the benefit of the City of Jersey City and all public utility companies for the benefit of the City of Jersey City and all public utility companies for the purpose of operating, maintaining, inspecting, protecting, repairing, replacing or reconstructing any existing water, sewer or utility lines together with the right of ingress and egress at all times for such purposes and all other purposes in connection with or in any way relating to the City of Jersey City's, or public utility companies', use or operation of water, sewer or utility lines.
- b) No building or structure of any kind may be construed over the water or sewer utilities within the area subject to this franchise without the consent of the Chief Engineer of the City of Jersey City.
- c) All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
 - B) This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C) This Ordinance shall take effect at the same time and in the manners provided by law.
 - D) The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of the existing provisions.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

PETITION

TO: THE HONORABLE MAYOR AND MUNICIPAL
COUNCIL OF THE CITY OF JERSEY CITY

Your petitioner, Public Storage. (the "Petitioner"), being the owner of 124-142 First Street, Jersey City, New Jersey, their successors and assigns, having offices at 499 Mill Road, Edison, New Jersey, 08837:

1. The Petitioner owns the real property in the City of Jersey City as follows:

Block: 11503, Lot:1

Known as 124-142 First Street, Jersey City, New Jersey (the "Property").

2. A seven (7) story, 364,035 square foot warehouse is currently being refurbished into a self-storage facility (the "Project") on the Property.

3. The Property is a Landmark and Petitioner applied for and obtained a Certificate of No Effect from the Jersey City Historic Preservation Commission.

4. The Property is located within the Powerhouse Arts District Redevelopment Plan and Petitioner applied for and obtained Preliminary and Final Major Site Plan Approval with variances from the Jersey City Planning Board for the Project

5. In connection with the development of the Project, Petitioner proposes the following improvements: repair to the building façade and the loading docks; repair of the existing stairways; the construction of handicap-accessible ramps; the construction of new sidewalks; and the removal and replacement of the existing canopies; and (the "Improvements"). Improvements are located within a portion of the First Street, Second Street, Provost Street, and Warren Street public right-of-way, which is more particularly depicted and described in the on the surveys prepared by Dresdner Robin attached hereto and made a part hereof as Exhibit A-1, B-1, and C-1 and accompanying Metes and Bounds descriptions prepared by Dresdner Robin attached hereto and made a part hereof as Exhibit A-2, B-2, and C-2, respectively (the "Franchise Area"). Petitioner requests permission to use the Franchise Area to construct and maintain the Improvement.

WHEREFORE, Petitioners respectfully request for themselves, their successors and assigns, permission to use the Franchise Area within the First Street, Second Street, Provost Street, and Warren Street public right-of-way, which is more particularly depicted and described in the on the surveys prepared by Dresdner Robin attached hereto and made a part hereof as Exhibit A-1, B-1, and C-1 and accompanying Metes and Bounds descriptions prepared by Dresdner Robin attached hereto and made a part hereof as Exhibit A-2, B-2, and C-2, respectively

[Signature Page to Follow]

Public Storage

Chark McPhee

By:

Title: SO VP Development

Date: 8/23/14

EXHIBIT A-2
Building Encroachment Franchise Ordinance

August 29, 2014

Job No. 10461-001

DEED DESCRIPTION

Building Encroachment Franchise Ordinance
for Block 11503, Lot 1
City of Jersey City, Hudson County, New Jersey

BEGINNING at a point South 56 degrees 06 minutes 42 seconds West a distance of 0.49 feet from the point of intersection of the northerly line of First Street (80 feet wide) and the easterly line of Provost Street (60 feet wide) and running into the right of ways of Provost Street and First Street, thence;

1. North 6 degrees 15 minutes 13 seconds East, 200.50 feet within the right of way of Provost Street, thence;
2. South 83 degrees 44 minutes 02 seconds East, 263.07 feet within right of way of Second Street; thence
3. South 8 degrees 18 minutes 18 seconds West, 200.47 feet within the right of way of Warren Street, thence;
4. North 83 degrees 46 minutes 16 seconds West, 255.89 feet within the right of way of First Street to the herein described point and place of BEGINNING.

Exempting therefrom Lot 1, Block 11503, said tract being more particularly described as follows:

BEGINNING at a point, said point being the intersection of the northerly line of First Street (80 feet wide) and the easterly line of Provost Street (60 feet wide) and running, thence;

1. Along the easterly line of Provost Street, North 6 degrees 12 minutes 53 seconds East, 200.00 feet to a point, said point being the intersection of the easterly line of Provost Street and the southerly line of Second Street, thence;
2. Along said southerly line of Second Street, South 83 degrees 45 minutes 00 seconds East, 262.72 feet to a point, said point being the intersection of the southerly line of Second Street and the westerly line of Warren Street, thence;
3. Along said westerly line of Warren Street, South 8 degrees 21 minutes 24 seconds West, 200.14 feet to a point, said point being the intersection of the westerly line of Warren Street and the northerly line of First Street, thence;
4. Along said northerly line of First Street, North 83 degrees 45 minutes 00 seconds West, 255.24 feet to the herein described point and place of BEGINNING.

Containing 208 square feet.



Jersey City

Corporate Office

One Evertrust Plaza
Suite 901
Jersey City, NJ 07303-0038
PHONE: 201-217-9200
FAX: 201-217-9607

Asbury Park Office

603 Mattison Avenue
Asbury Park, NJ 07712
PHONE: 732-988-7020
FAX: 732-988-7032

Pennsauken Office

Perks Ruetter Division

Fairway Corporate Center
4300 Haddonfield Road, Suite 115
Pennsauken, NJ 08109
PHONE: 856-488-6200
FAX: 856-488-4302

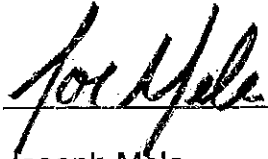
Wayne Office

Hanson Engineering Division

145 Route 46 West
Wayne Plaza I, Suite 210
Wayne, NJ 07470
PHONE: 973-696-2600
FAX: 973-696-1362

www.dresdnerrobin.com

This description was prepared in accordance with a map entitled "Building Encroachment Franchise Ordinance Exhibit A-1 for Block 11503, Lot 1, City of Jersey City, Hudson County, New Jersey", prepared for Public Storage, 124-142 First Street, dated August 26, 2014 prepared by Dresdner Robin.

A handwritten signature in black ink, appearing to read "Joe Mele", written over a horizontal line.

Joseph Mele
Professional Engineer and Land Surveyor
New Jersey License No. 24GB04323900

FRANCHISE ORDINANCE SCHEDULE "A"
FOR BUILDING ENCROACHMENT

- | | |
|----------------------------|----------------------------|
| 1. N 06° 15' 13" E 200.50' | EXEMPTED TRACT: |
| 2. S 83° 44' 02" E 263.07' | 5. N 06° 12' 53" E 200.00' |
| 3. S 08° 18' 18" W 200.47' | 6. S 83° 45' 00" E 262.72' |
| 4. N 83° 46' 16" W 255.89' | 7. S 08° 21' 24" W 200.14' |
| | 8. N 83° 45' 00" W 255.24' |

SECOND (60' ROW) STREET

- ② S83°44'02"E ---> 263.07'
- ⑥ S83°45'00"E ---> 262.72'

BLOCK 11503 ~ LOT 1
AREA=51,797 S.F.
1.189 ACRES

7 STORY BUILDING


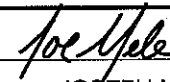
BUILDING ENCROACHMENT "A"
AREA=208 S.F.

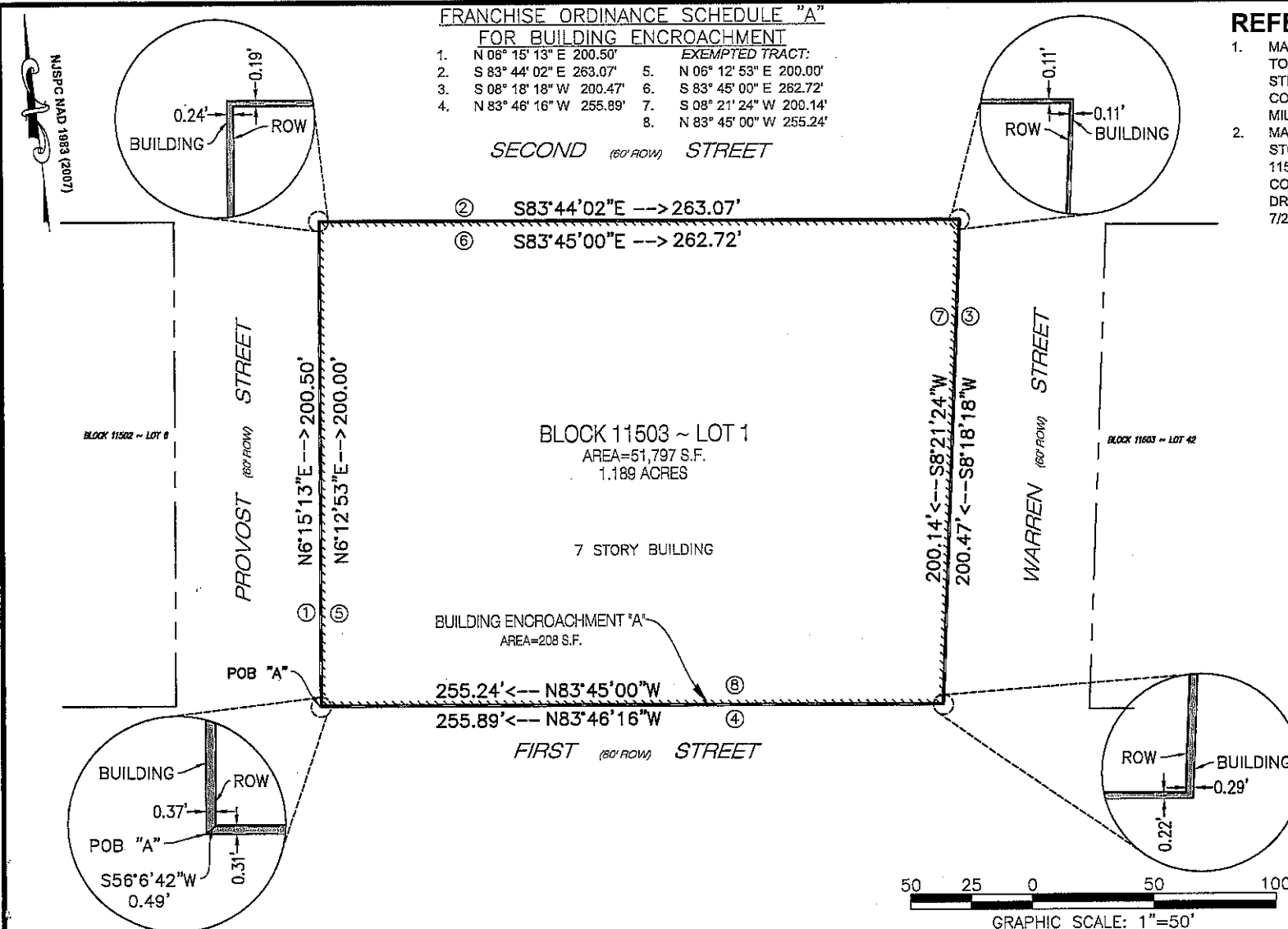
- 255.24' <--- N83°45'00"W ⑧
- 255.89' <--- N83°46'16"W ④

FIRST (60' ROW) STREET

REFERENCES:

1. MAP ENTITLED "ALTA/ACSM LAND TITLE AND TOPO SURVEY PS #NJ13207, 124-142 1ST STREET, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY MILLMAN SURVEYING, INC. JOB No. 32332.
2. MAP ENTITLED "C-101 SITE PLAN, PUBLIC STORAGE, 124-142 FIRST STREET, BLOCK 11503, LOT 1, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY DRESDNER ROBIN, DATED 5/7/14 REVISED TO 7/21/14.

No.	DATE	ISSUE OR REVISION	BY
REVISIONS			
 DRESDNER ROBIN ONE EVERTRUST PLAZA, SUITE 901 JERSEY CITY, NJ 07310 (TEL) 201.217.9900 (FAX) 201.217.9907 CERTIFICATE OF AUTHORIZATION # - 240A27628000			
BUILDING ENCROACHMENT FRANCHISE ORDINANCE EXHIBIT "A-1" FOR BLOCK 11503, LOT 1 CITY OF JERSEY CITY HUDSON COUNTY, NEW JERSEY PREPARED FOR: PUBLIC STORAGE 124-142 FIRST STREET  JOSEPH MELE PROFESSIONAL ENGINEER & LAND SURVEYOR NJ LICENSE NUMBER 240804323900			
DRAWN BY: RPB		CHECKED BY: JDR	
SCALE: 1" = 50'			
JOB NUMBER: 10461-001	DATE: 08/29/14		
SHEET 1 OF 1		A-1	



DUE TO INHERENT ERRORS IN REPRODUCTION METHODS, ERRORS MAY OCCUR WHEN SCALING THIS DRAWING

JOB No.10461-001

EXHIBIT B-2
Raised Walkway, Stairs, Awning & Ramps Franchise Ordinance

August 29, 2014

Job No. 10461-001

DEED DESCRIPTION

Raised Walkway, Stairs, Awning, & Ramps Franchise Ordinance
for Block 11503, Lot 1
City of Jersey City, Hudson County, New Jersey

BEGINNING at a point, said point being the intersection of the westerly line of Warren Street (60 feet wide) and the northerly line of First Street (80 feet wide) and running, thence;

1. Into the right of way of Warren Street, South 83 degrees 45 minutes 00 seconds East, 1.40 feet, thence;
2. South 08 degrees 05 minutes 58 seconds West, 10.62 feet, thence;
3. North 83 degrees 45 minutes 00 seconds West, 95.61 feet, thence;
4. South 53 degrees 26 minutes 41 seconds West, 7.08 feet, thence;
5. North 40 degrees 59 minutes 40 seconds West, 7.08 feet, thence;
6. North 83 degrees 45 minutes 00 seconds West, 10.46 feet, thence;
7. South 53 degrees 26 minutes 41 seconds West, 6.90 feet, thence;
8. North 40 degrees 59 minutes 40 seconds West, 6.91 feet, thence;
9. North 83 degrees 45 minutes 00 seconds West, 9.56 feet, thence;
10. South 53 degrees 26 minutes 41 seconds West, 7.00 feet, thence;
11. North 40 degrees 59 minutes 40 seconds West, 7.01 feet, thence;
12. North 83 degrees 45 minutes 00 seconds West, 10.31 feet, thence;
13. South 53 degrees 26 minutes 41 seconds West, 6.95 feet, thence;
14. North 40 degrees 59 minutes 40 seconds West, 6.95 feet, thence;
15. North 83 degrees 45 minutes 00 seconds West, 96.35 feet, thence;
16. North 6 degrees 12 minutes 53 seconds East, 97.58 feet, thence;
17. South 83 degrees 47 minutes 7 seconds East, 7.41 feet to a point along the easterly line of Provost Street, thence;
18. Along said easterly line of Provost Street, South 6 degrees 12 minutes 53 seconds East, 86.97 feet to the intersection of the northerly line of First Street, thence;
19. Along said northerly line of First Street, South 83 degrees 45 minutes 00 seconds West, 255.24 feet to the herein described point and place of BEGINNING.

Containing 3,543 square feet.



Jersey City

Corporate Office

One Evertrust Plaza
Suite 901
Jersey City, NJ 07303-0038
PHONE: 201-217-9200
FAX: 201-217-9607

Asbury Park Office

603 Mattison Avenue
Asbury Park, NJ 07712
PHONE: 732-988-7020
FAX: 732-988-7032

Pennsauken Office

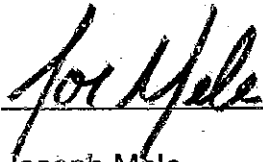
Perks Ruetter Division
Fairway Corporate Center
4300 Haddonfield Road, Suite 115
Pennsauken, NJ 08109
PHONE: 856-488-6200
FAX: 856-488-4302

Wayne Office

Hanson Engineering Division
145 Route 46 West
Wayne Plaza I, Suite 210
Wayne, NJ 07470
PHONE: 973-696-2600
FAX: 973-696-1362

www.dresdnerrobin.com

This description was prepared in accordance with a map entitled "Building Encroachment Franchise Ordinance Exhibit B-1 for Block 11503, Lot 1, City of Jersey City, Hudson County, New Jersey", prepared for Public Storage, 124-142 First Street, dated August 26, 2014 prepared by Dresdner Robin.

A handwritten signature in black ink, appearing to read "Joe Mele", is written over a horizontal line.

Joseph Mele
Professional Engineer and Land Surveyor
New Jersey License No. 24GB04323900

NJSPC NAD 1983 (2007)

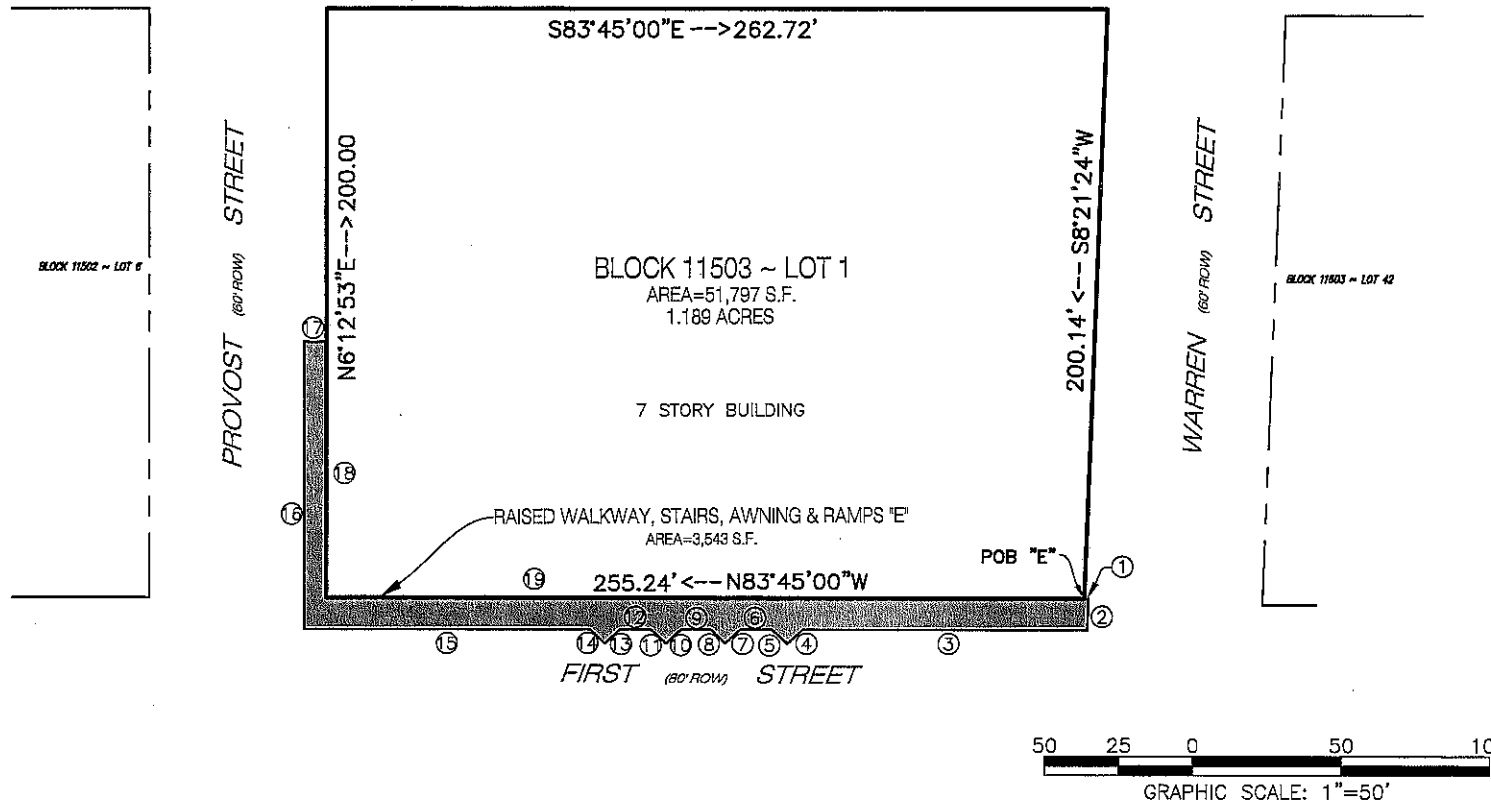
FRANCHISE ORDINANCE SCHEDULE "B"
FOR RAISED WALKWAY, STAIRS, AWNING, & RAMPS

- | | | |
|---------------------------|----------------------------|-----------------------------|
| 1. S 83° 45' 00" E 1.40' | 8. N 40° 59' 40" W 6.91' | 15. N 83° 45' 00" W 96.35' |
| 2. S 8° 5' 58" W 10.62' | 9. N 83° 45' 00" W 9.56' | 16. N 6° 12' 53" E 97.58' |
| 3. N 83° 45' 00" W 95.61' | 10. S 53° 26' 41" W 7.00' | 17. S 83° 47' 07" E 7.41' |
| 4. S 53° 26' 41" W 7.08' | 11. N 40° 59' 40" W 7.01' | 18. S 6° 12' 53" W 86.97' |
| 5. N 40° 59' 40" W 7.08' | 12. N 83° 45' 40" W 10.31' | 19. S 83° 45' 00" E 255.24' |
| 6. N 83° 45' 00" W 10.46' | 13. S 53° 26' 41" W 6.95' | |
| 7. S 53° 26' 41" W 6.90' | 14. N 40° 59' 40" W 6.95' | |

SECOND (60' ROW) STREET

REFERENCES:

1. MAP ENTITLED "ALTA/ACSM LAND TITLE AND TOPO SURVEY PS #NJ13207, 124-142 1ST STREET, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY MILLMAN SURVEYING, INC. JOB No. 32332.
2. MAP ENTITLED "C-101 SITE PLAN, PUBLIC STORAGE, 124-142 FIRST STREET, BLOCK 11503, LOT 1, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY DRESDNER ROBIN, DATED 5/7/14 REVISED TO 7/21/14.



No.	DATE	ISSUE OR REVISION	BY
REVISIONS			

DRESDNER ROBIN
 ONE EVERTRUST PLAZA, SUITE 901
 JERSEY CITY, NJ 07310
 (TEL) 201.217.6200 (FAX) 201.217.8897
 CERTIFICATE OF AUTHORIZATION # - 243A27625000

RAISED WALKWAY, STAIRS, AWNING, & RAMPS
FRANCHISE ORDINANCE
EXHIBIT "B-1"
 FOR
 BLOCK 11503, LOT 1
 CITY OF JERSEY CITY
 HUDSON COUNTY, NEW JERSEY

PREPARED FOR:
 PUBLIC STORAGE
 124-142 FIRST STREET

JOSEPH MELE
 PROFESSIONAL ENGINEER & LAND SURVEYOR
 NJ LICENSE NUMBER 243804323500

DRAWN BY	CHECKED BY
RPB	JDR

SCALE: 1" = 50'
 JOB NUMBER: 10461-001
 DATE: 08/25/14
 SHEET 1 OF 1

B-1

DUE TO INHERENT ERRORS IN REPRODUCTION METHODS, ERRORS MAY OCCUR WHEN SCALING THIS DRAWING

JOB No.10461-001

EXHIBIT C-2

Raised Walkway, Stairs, Awning & Ramps Franchise Ordinance

November 24, 2014

Job No. 10461-001

DEED DESCRIPTION

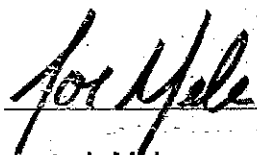
Raised Walkway, Stairs, Awning, & Ramps Franchise Ordinance
for Block 11503, Lot 1
City of Jersey City, Hudson County, New Jersey

BEGINNING at a point, said point being the intersection of the easterly line of Provost Street (60 feet wide) and the southerly line of Second Street (60 feet wide) and running; thence

1. Into the right of way of Provost Street, North 83 degrees 45 minutes 00 seconds West, 1.07 feet, thence;
2. Into the right of way of Second Street, North 6 degrees 12 minutes 53 seconds East, 11.00 feet, thence;
3. Within the right of way of Second Street, South 83 degrees 45 minutes 00 seconds East, 275.71 feet, thence;
4. Into the right of way of Warren Street, South 8 degrees 21 minutes 24 seconds West, 44.28 feet, thence;
5. Within the right of way of Warren Street, North 81 degrees 38 minutes 36 seconds West, 11.50 feet to a point along the westerly line of Warren Street, thence;
6. Along said westerly line of Warren Street, North 8 degrees 21 minutes 24 seconds East, 32.85 feet to the intersection of said line of Warren Street and southerly line of Second Street, thence;
7. Along said southerly line of Second Street, North 83 degrees 45 minutes 00 seconds West, 262.72 feet to the herein described point and place of BEGINNING.

Containing 3,383 square feet.

This description was prepared in accordance with a map entitled "Building Encroachment Franchise Ordinance Exhibit C-1 for Block 11503, Lot 1, City of Jersey City, Hudson County, New Jersey", prepared for Public Storage, 124-142 First Street, revised date November 24, 2014 prepared by Dresdner Robin.



Joseph Mele
Professional Engineer and Land Surveyor
New Jersey License No. 24GB04323900



Jersey City

Corporate Office

One Evertrust Plaza
Suite 901
Jersey City, NJ 07303-0038
PHONE: 201-217-9200
FAX: 201-217-9607

Asbury Park Office

603 Mattison Avenue
Asbury Park, NJ 07712
PHONE: 732-988-7020
FAX: 732-988-7032

Pennsauken Office

Perks Ruetter Division

Fairway Corporate Center
4300 Haddonfield Road, Suite 115
Pennsauken, NJ 08109
PHONE: 856-488-6200
FAX: 856-488-4302

Wayne Office

Hanson Engineering Division

145 Route 46 West
Wayne Plaza I, Suite 210
Wayne, NJ 07470
PHONE: 973-696-2600
FAX: 973-696-1362

www.dresdnerrobin.com

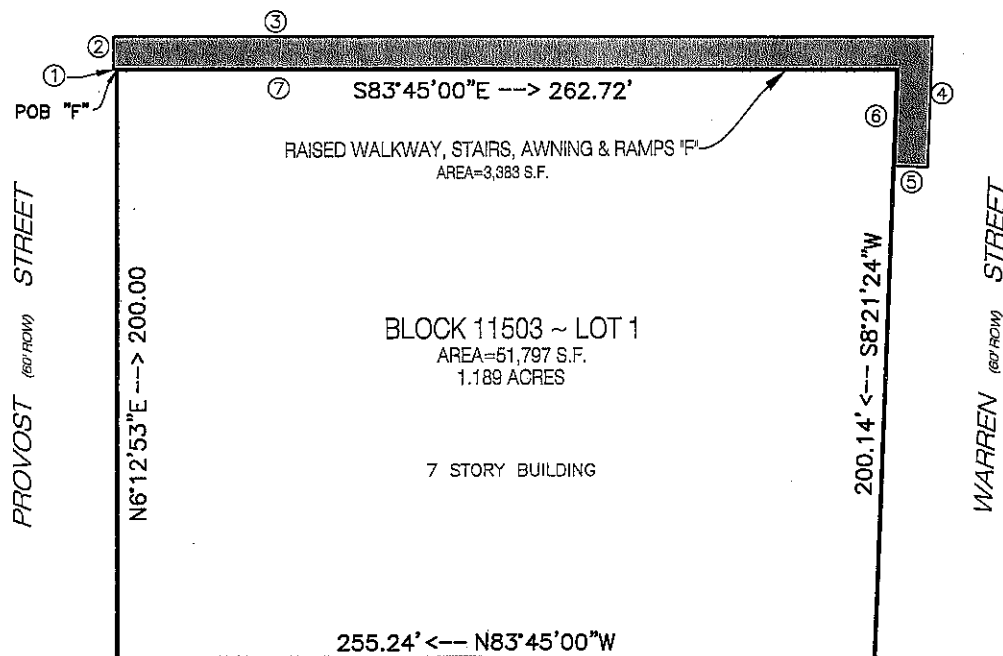
Q:\ENR\PROJECTS\10461-001 PUBLIC STD FIRST ST JVC\CAM\SURVEY\FRANCHISE AGREEMENTS\EXHIBIT C-1.DWG 8.5X14 9/17/2014 2:21 PM RBL/DND/MD



FRANCHISE ORDINANCE SCHEDULE "C"
FOR RAISED WALKWAY, STAIRS, AWNING, & RAMPS

- | | |
|----------------------------|----------------------------|
| 1. N 83° 45' 00" W 1.07' | 5. N 81° 38' 36" W 11.69' |
| 2. N 06° 12' 53" E 11.00' | 6. N 08° 21' 24" E 32.85' |
| 3. S 83° 45' 00" E 275.71' | 7. N 83° 45' 00" W 262.72' |
| 4. S 08° 21' 24" W 44.28' | |

SECOND (80' ROW) STREET



BLOCK 11503 ~ LOT 1
AREA=51,797 S.F.
1.189 ACRES

FIRST (80' ROW) STREET



REFERENCES:

1. MAP ENTITLED "ALTA/ACSM LAND TITLE AND TOPO SURVEY PS #NJ13207, 124-142 1ST STREET, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY MILLMAN SURVEYING, INC. JOB No. 32332.
2. MAP ENTITLED "C-101 SITE PLAN, PUBLIC STORAGE, 124-142 FIRST STREET, BLOCK 11503, LOT 1, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY DRESDNER ROBIN, DATED 5/7/14 REVISED TO 7/21/14.

REVISIONS			
No.	DATE	ISSUE OR REVISION	BY
<p>DRESDNER ROBIN ONE EVERTRUST PLAZA, SUITE 801 JERSEY CITY, NJ 07310 (TEL) 201.217.9200 (FAX) 201.217.9807 CERTIFICATE OF AUTHORIZATION # - 243427828000</p>			
<p>RAISED WALKWAY, STAIRS, AWNING, & RAMPS FRANCHISE ORDINANCE EXHIBIT "C-1" FOR BLOCK 11503, LOT 1 CITY OF JERSEY CITY HUDSON COUNTY, NEW JERSEY</p>			
<p>PREPARED FOR: PUBLIC STORAGE 124-142 FIRST STREET</p>			
<p> JOSEPH MELE PROFESSIONAL ENGINEER & LAND SURVEYOR NJ LICENSE NUMBER 240804233800</p>			
<p>DESIGNED BY: RFB</p> <p>SCALE: 1" = 50'</p> <p>DATE: 10/29/14</p>	<p>CHECKED BY: JDR</p> <p>DATE: 08/29/14</p>	<p>C-1</p>	
<p>SHEET 1 OF 1</p>			

DUE TO INHERENT ERRORS IN REPRODUCTION METHODS, ERRORS MAY OCCUR WHEN SCALING THIS DRAWING

JOB No.10461-001

City Clerk File No. Ord. 15.017

Agenda No. 3.F 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.017

TITLE:

AN ORDINANCE AMENDING: (1) CHAPTER 175, (FOOD HANDLING ESTABLISHMENTS) ARTICLE III, (FOOD ESTABLISHMENTS) TO CREATE STANDARDS FOR FARMERS' MARKETS; (2) CHAPTER 3, (ADMINISTRATION (ADMINISTRATION OF GOVERNMENT) ARTICLE IX, (DEPARTMENT OF PUBLIC WORKS) SECTION 71, (DIVISION OF PARK MAINTENANCE) TO AMEND THE APPROVAL PROCESS FOR FARMERS' MARKETS SEEKING PERMISSION TO OPERATE IN CITY PARKS; (3) CHAPTER 239, (PARKS) SECTION 15, (HOURS OF OPERATION; PERMITS; FARMERS' MARKETS) TO CREATE STANDARDS FOR FARMERS' MARKETS OPERATING IN CITY PARKS AND CHAPTER 160 (FEES AND CHARGES) SECTION P (CHAPTER 175, FOOD HANDLING ESTABLISHMENTS) TO CREATE A FEE FOR FARMERS' MARKETS

COUNCIL offered and moved adoption of the following Ordinance:

WHEREAS, several so-called farmers' markets exist throughout the City; and

WHEREAS, there are currently few regulations contained in the City Code governing farmers' markets; and

WHEREAS, the City of Jersey City wishes to encourage the growth and development of more farmers' markets throughout the City; and

WHEREAS, the City recognizes the need to better regulate farmers' markets in order to ensure the health, safety and welfare of the residents; and

WHEREAS, the City wishes to amend Chapter 175 entitled "Food Handling Establishments" to provide standards for farmers' markets; and

WHEREAS, the City of Jersey City wishes to encourage the use of portions of City parks for farmers' markets throughout the City; and

WHEREAS, the City also recognizes the need to improve the approval process for farmers' markets seeking to operate in City parks so as to ensure the health, safety and welfare of the residents; and

WHEREAS, the City also wishes to amend Chapter 3 entitled "Administration of Government" Article IX entitled "Department of Public Works," Section 71 entitled Division of Park Maintenance," to improve the process by which farmers' markets are approved to operate within City parks; and

WHEREAS, the City also wishes to amend Chapter 239, entitled "Parks" Section 15 entitled "Hours of operation; permits; farmers' markets" to create standards for farmers' markets which operate in City parks.

NOW, THEREFORE, BE IT ORDAINED by the Council of Jersey City that Chapter 175, Article III, shall be amended to read:

§ 175-16. Applicability.

This Article shall be applicable to eating and drinking establishments and to itinerant eating and drinking establishments.

§ 175-17. Restaurant home delivery service; notice.

- A. Every restaurant which operates or advertises a home delivery service and does not deliver to every location in the City of Jersey City shall post a notice containing the following language:

(RESTAURANT NAME)

DOES NOT DELIVER TO EVERY LOCATION IN JERSEY CITY

- B. The sign shall be in letters of one inch and shall be conspicuously displayed at the cash register at the point of sale and at the restaurant entrance and exit.
- C. Any restaurant which does not display this sign will be deemed to deliver to any location in Jersey City.
- D. A restaurant which does not deliver to every location in Jersey City and which does not display the above sign shall be punishable as provided in Chapter 1, General Provisions, § 1-25, or to revocation of its license, or both.
- E. "Restaurant" includes any restaurant, pizzeria, tavern, diner, luncheonette or place of business where food and drink are sold for consumption on and off the premises.

§ 175-18. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

AGRICULTURAL MARKET - Any permanent retail food establishment which is primarily engaged in the sale of raw agricultural products; may include as a minor portion of the operation the sale of factory-sealed or prepackaged food products that do not normally require refrigeration; may include as a minor portion of the operation the sale of other grocery products.

BAKERY - Any retail food establishment engaged in the sale or preparation of bakery products such as bread, cakes and pies; may include as a minor portion of the operation the sale of other grocery products.

BAR/LIQUOR STORE - Any retail establishment engaged in the sale of alcoholic beverages; may include as a minor portion of the operation the sale of factory-sealed or prepackaged food products.

BUTCHER - Any retail food establishment primarily engaged in the sale or preparation of meat products; may include as a minor portion of the operation the sale of other grocery products.

CATERER/COMMISSARY/KITCHEN - Any food establishment engaged in the preparation of food which is then transported to be served or offered for sale elsewhere.

CONFECTIONERY - Any retail establishment primarily engaged in the sale of non-factory-sealed or prepackaged candy products by weight or piece.

DELIVERY VEHICLE - Any mobile vehicle primarily used in the sale or delivery to individuals or food establishments of raw agricultural, frozen dairy or flavored ice, milk/dairy, raw meat/fish/poultry or bakery products.

DISTRICT MANAGEMENT CORPORATION - An entity created by municipal ordinance or incorporated pursuant to Title 15A of the New Jersey Statutes and designated by municipal ordinance to receive funds collected by a special assessment within a special improvement district.

FARM PRODUCT - shall mean any agricultural, horticultural, forest product, or other product of the soil or water including but not limited to, fruits, vegetables, eggs, dairy products, meat and meat products, poultry and poultry products, fish and fish products, grain and grain products, honey, nuts, preserves, maple sap products, apple cider, fruit juice, ornamental or vegetable plants, nursery products, flowers, firewood and Christmas trees.

FARMERS' MARKET - shall mean a temporary market established in a public space where farmers/growers sell a variety of farm products, as defined in this ordinance, directly to the consumer.

FISH MARKET - Any retail food establishment primarily engaged in the sale or preparation of fish or fish products; may include as a minor portion of the operation the sale of other grocery products.

FLEA MARKET - An open or closed air market primarily arranged for individual vendors to sell or trade new or used nonfood products and at which food products may be available for sale at the discretion of the Jersey City Health Officer.

FOOD DESERT - A census tract- as determined by standards established by the US Departments of Agriculture, Treasury and Health and Human Services - with a substantial share of residents who live in low income areas that have low levels of access to a grocery store or healthy, affordable food retail outlets.

FOOD ESTABLISHMENT - Any business engaged in the sale of food and beverages of any kind, whether prepared on or off-site, including but not limited to the sale of raw agricultural products, bakery products such as bread, cakes and pies, meat products, candy or candy products, farm products as defined in this ordinance, fish or fish products, frozen dairy or flavored ice products, groceries, products sold from a mobile food vendor; businesses such as delicatessens, restaurants/cafeterias (Class A), restaurants/luncheonette/cafes (Class B), institution kitchens, supermarkets, taverns and temporary retail food establishments.

FROZEN DAIRY AND FLAVORED ICE PRODUCTS - Any retail food establishment primarily engaged in the sale or preparation of frozen dairy or flavored ice products.

GROCERY - Any retail food establishment engaged in the sale of a limited variety of bakery and dairy products as well as prepackaged and processed food products.

GROCERY/DELICATESSEN - Any retail food establishment primarily engaged in the sale of prepared foods and/or hot or cold sandwiches and a limited variety of bakery, meat, fish, poultry, dairy or liquor products, as well as prepackaged and processed food products.

HEALTH OFFICER - Any reference to the City's Health Officer shall refer to the Health Officer or his or her designee.

INSTITUTIONAL KITCHEN - Any food establishment engaged in the preparation of food which is to be served therein or minimally transported for service within the confines of the structure that houses the kitchen.

~~ITINERANT EATING AND DRINKING ESTABLISHMENTS~~ - Any retail food establishment which is not housed in a permanent structure and which moves from location to location. ~~Foods offered will require heating or refrigeration.~~

MINI-MARKET/MINIMART - Any retail food establishment engaged in the sale of a limited variety of bakery, meat, fish, poultry, raw agricultural, dairy or liquor products as well as prepackaged and processed food products.

MISCELLANEOUS LICENSE - This shall consist of any activity delegated to the Division of Health for licensing or regulation. The license fee shall be determined by the Division of Health.

MOBILE FOOD VENDORS - A mobile food vendor is anyone who sells food or beverages from a vehicle such as a truck, van or pushcart, whether such food or beverages are prepared on site or prepared elsewhere and transported to the site of the sale.

NEWSSTAND - Any retail establishment primarily engaged in the sale of newspapers, magazines and notions; may include as a minor portion of the operation the sale of factory-sealed or prepackaged food products or prepared foods such as coffee, tea and rolls.

NOT-FOR-PROFIT CORPORATION - shall mean a federal tax exempt, non-profit corporation incorporated in New Jersey. A New Jersey corporation which can demonstrate proof of pending federal tax exempt status shall also be deemed a non-profit corporation for the purposes of this ordinance.

PHARMACY/DRUGSTORE - Any retail establishment primarily engaged in the sale of drugs, cosmetics and devices pursuant to N.J.S.A. Title 24; may include as a minor portion of the operation the sale of food products.

RESTAURANT/CAFETERIA (CLASS A) - Any retail food establishment, having an occupancy of more than 20 persons, engaged in the preparation and sale of food.

RESTAURANT/LUNCHEONETTE CAFE (CLASS B) - Any retail food establishment, limited to an occupancy of not more than 20 persons, engaged in the preparation and sale of food.

SPECIAL IMPROVEMENT DISTRICT- A special improvement district means an area within a municipality designated by municipal ordinance as an area in which a special assessment on property shall be imposed for purposes of promoting the economic and general welfare of the district and the municipality.

SUPERMARKET - Any retail food establishment engaged in the sale of an extensive variety of bakery, meat, fish, poultry, raw agricultural, dairy or liquor products as well as prepackaged and processed food products.

TAVERN - Any retail establishment engaged in the sale of alcohol and in the preparation of foods offered for sale therein.

TEMPORARY RETAIL FOOD ESTABLISHMENT - Any retail food establishment which operates at a fixed location for a temporary period of time in connection with a fair, carnival, circus, public exhibition or similar transitory function, including church suppers, picnics or other organizational meetings; includes mobile retail food establishments and mobile agricultural markets.

§ 175-19. Classification of establishments.

- A. The classification of each establishment will be determined by the Jersey City Division of Health pursuant to § 175-18
- B. Establishments meeting the criteria for more than one classification shall be charged the greater fee.
- C. If an establishment includes more than one classification, the Health Officer or designee may inspect, rate and issue violations and orders on any separate classification, e.g., fish market, butcher or restaurant.

§ 175-20. License required; application.

- A. No person shall operate any food establishment as defined in this article without a license issued by the eCity.
- B. Applications for such license shall be submitted to the Division of Health of the City. The application shall be upon appropriate forms as the Health Officer shall require.

§ 175-21. License fees.

- A. The fee for said license shall be as set forth in Chapter 160, Fees and Charges.
- B. There shall be no prorating of license fees. Such license fees shall not be refundable. Such license is not transferable. It shall not be displayed in a

conspicuous place in the establishment. In the case of farmers' markets, the license shall be displayed at the manager's table or some other suitable location within the market.

§ 175-22. License term.

All licenses provided for in this article shall be for a term of one year beginning on the date of issuance except for a supermarket, which shall be for a term of six months, in the case of farmers' markets which shall be in operation during farmers' market season (April 1st through December 31st). Existing licenses shall retain the April 30 expiration date except for existing supermarkets which shall have April 30 and October 30 as expiration dates.

§ 175-23. Operation without license; failure to renew.

- A. Food establishments engaged in operation without a license or which have failed to renew a license after notification from the Division of Health shall be punishable as provided in Chapter 1, General Provisions, § 1-25
- B. Establishments operating without a license shall be closed pending application and approval of license.
- C. Establishments failing to renew their license after the issuance of a summons from the Division of Health are subject to forfeiture of license.

§ 175-24. Food handler's course; fee.

- A. Pursuant to N.J.A.C. 8:42-3.4(a)5, the Division of Health shall maintain surveillance of retail food establishments, food and beverage vending machines and shall provide for, or conduct, training courses for food services supervisors using curricula approved by the Department of Health.
- B. A minimum of one manager or supervisor of retail food establishments of any classification must satisfactorily complete the Jersey City Health Division Food Handler's Course each year prior to renewal of the license. The effective date of this requirement shall be the licensing renewal deadline for 1989. Thereafter, no retail food establishment which has failed to meet this requirement shall receive a license. At least one person having satisfactorily completed the Jersey City Health Division food handler's course shall be on the premises during hours of operation.
- C. A fee as provided in Chapter 160, Fees and Charges, will be charged to cover the costs of each food handler's course.

§ 175-25. Closure by Health Officer.

- A. If an extremely unsanitary condition exists or if the Health Officer ~~or delegatee~~ has reasonable cause to suspect that any food establishment or any employee thereof is or may be a source of food-borne infection, the Health Officer ~~or delegatee~~ is authorized to require the immediate closure of the food establishment until the extremely unsanitary condition has been eliminated and/or cause the immediate exclusion of the employee from the food establishment until the employee no longer poses a threat of food-borne infection.
- B. The Health Officer, when practical, shall give the owner, manager or employee an opportunity to be heard prior to closure or exclusion. However, when the Health

Officer determines that in order to protect the public health a hearing cannot be afforded prior to closure or exclusion, a hearing shall be held within 10 days thereafter.

- C. In addition to the authority and powers conferred herein, the Health Officer is authorized to suspend or revoke the license permitting the operation of a food establishment if the holder thereof shall violate any of the provisions of this Code. No suspension or revocation shall take place prior to the license holder having an opportunity to be heard upon at least 10 days' notice.

§ 175-26. Inspection of retail food establishments.

- A. The Health Officer ~~or delegee~~ shall inspect every retail food establishment as necessary.
- B. The person operating a retail food establishment shall permit access to all parts of the establishment.

§ 175-27. Interference with Division of Health or police.

No person shall obstruct or any way interfere with the Health Officer ~~or delegee~~ or with any police officer in the performance of any duty under this chapter or under any other chapter of this Municipal Code.

§ 175-28. Farmers' Markets.

- A. Licenses to operate a farmers' markets will only be issued to not-for-profit corporations as defined by § 175-18.
- B. Farmers' markets shall only operate during farmers' market season.
- C. At least 55% of the total volume of all products available for sale must be a farm product harvested or produced within 300 miles of Jersey City. Any vendor whose farm products are not grown within 300 miles of Jersey City shall so indicate with signage displayed by the farm product being sold.
- D. No license shall be issued to operate a farmers' market unless at least 25% of the vendors accept supplemental food vouchers (SNAP/EBT, WIC Cash Value Vouchers, and/or FMNP vouchers). Those vendors which accept such vouchers shall so indicate by posting a sign at the point of sale.
- E. The Health Officer shall waive all required licensing fees and vendor fees set forth in Ch 160, Section P(3)(5)(c)(i) and (ii) for farmers' markets, which operate in areas deemed by the Health Officer to be food deserts.
- F. Non-profit organizations which seek to operate a farmers' markets in a City park must receive additional permission from the Division of Park Maintenance pursuant to § 3-71.1(e).
- G. Licenses to operate a farmers' market within one of the City's designated Special Improvement Districts, shall only be issued to the District Management Corporation (DMC). The Seasonal License Fee shall be waived for DMCs running farmers' markets within an SID.

- H. An application to operate a farmers' market shall require proof of general liability insurance from an A.M. Best-rated insurance company in the amount of One Million Dollars (\$1,000,000.00) and must name the City of Jersey City as an additional insured unless waived by the City's Risk Manager.
- I. Applications to establish a farmers' market and all supporting documents must be submitted to the Division of Health at least thirty (30) days before the planned opening of the market.
- J. In addition to having satisfactorily completed the Jersey City Health Division Food Handler's Course, a minimum of one manager or supervisor of the farmers' market may be asked by the Health Officer to demonstrate knowledge of the Minimum Food Safety Requirements for Product Sales at Farmer's Markets as promulgated by the New Jersey Department of Agriculture. A copy of these requirements is available from the Department of Agriculture and shall be available upon request from the City's Health Officer.
- K. Starting April 1, 2016 farmers' markets vendors shall not use plastic bags to dispense their products.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Council of Jersey City that Chapter 3, Article IX, Section 71, shall be amended to read:

§ 3-71.1. Division of Park Maintenance.

- A. Creation of the Division of Park Maintenance; Director of Park Maintenance in charge. There is hereby created within the Department of Public Works a Division of Park Maintenance, the Director of which shall be the Director of Park Maintenance.
 - (1) Division of Park Maintenance; functions. Under the direction and supervision of the Director of Public Works, the Division of Park Maintenance shall:
 - (a) be responsible for planning and maintaining all facilities for recreational purposes offered by the City, which include parks, playgrounds, green space, sitting areas and indoor recreational facilities.
 - (b) Be responsible for the administration of the Clean Communities Program.
 - (c) Be responsible for the trimming of trees on sidewalks.
 - (d) Be responsible for the planting of trees within public easement areas.
 - (e) Be in charge of issuing park usage permits for picnics, reunions, weddings, other social gatherings, and for flea markets and farmers' markets, provided that flea markets and farmers' markets permits are subject to the following permitting requirements:

- (i) Subject to such rules, regulations, restrictions and requirements of § 239-15 of this Code, flea markets permits shall be issued as follows: Each organization seeking a flea market permit may be issued two (2) such permits per calendar year for any one of the following parks in which flea markets may be held: Van Vorst Park; Hamilton Park; Columbia Park; Audubon Park; Excel Webb Park; Bayside Park; Arlington Park; Riverview Park; Leonard Gordon Park and Sgt. Anthony Park. Each of the aforementioned parks may have no more than six (6) flea markets per year, and there shall be no flea markets permitted and no permits issued for Pershing Field and Grundy Pier Parks; and
- (ii) Subject to such rules, regulations, restrictions and requirements of § 239-15 and § 175-16 et seq. of this Code, farmers' markets permits shall to operate farmers' markets within City Parks may be issued as follows: Park Associations, selling products of farmers which to non-profit organizations which have been licensed by the City Board of Health Health Officer under § 175-16 et seq. as food handling establishments may apply for farmers' markets permits. For purposes of this Chapter § 3.71.1, an organization will be considered a Park Association if it is a legally constituted not-for-profit corporation of the State of New Jersey which has as its corporate purpose the benefit and improvement of the Jersey City park and for which it is applying for a farmers' markets permit. Such Park Association, when applying for a permit to operate a farmer's market within a City Park, the non-profit organization shall provide proof to the Director of the Division of Park Maintenance, prior to the issuance of the license permit, that the Park Association non-profit organization has been licensed to operate a farmer's market by the City Division of Health and has secured general liability insurance for the farmers' market in the amount of One Million Dollars (\$1,000,000.00) from an A.M. Best-rated insurance company which names the City of Jersey City as an additional insured unless waived by the City's Risk Manager. Farmers' markets may be held at the following city parks: Van Vorst Park; Hamilton Park; Columbia Park; Audubon Park; Excel Webb Park; Bayside Park; Arlington Park; Riverview Park; Leonard Gordon Park and Sgt. Anthony Park in the passive recreation portion of any City Park, space permitting, except J. Owen Grundy Pier Park. The exact location of any farmers' market within a City park shall be determined solely by the Director of the Division of Park Maintenance and the permit issued shall include a map indicating where the market is to be situated. There shall be no farmers' markets permitted and no permits issued for Pershing Field and Grundy Pier Parks. Applications to establish a farmers' market in a City park and all supporting documents must be submitted to the Division of Health at least thirty (30) days before the planned opening of the market.

- (f) Be responsible for codifying costs to the Tax Collector on work performed on private property.

NOW, THEREFORE, BE IT ALSO ORDAINED by the Council of Jersey City that Chapter 239, Section 15, shall be amended to read:

§ 239-15. Hours of operation; permits; farmers' markets.

- A. Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year between the hours of 6:00 a.m. and 10:00 p.m. daily. (J. Owen Grundy Park, however, is exempt from the 10:00 p.m. closing time.) The opening and closing hours for each individual park shall be posted therein for public information.
- B. Any section or part of any park may be declared closed to the public by the Director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses as the Director shall find reasonably necessary.
- C. All activity is prohibited in the parks between the hours of 10:00 p.m. and 6:00 a.m., except in the case of an exemption or special activity sponsored or approved by the City Council.
- D. The finding of lost articles by park employees shall be reported to the person in charge of the park, who shall make every reasonable effort to locate the owners. The employees shall make every reasonable effort to find articles reported as lost.
- E. A permit shall be obtained from the Director before participating in any park activity.
- F. A person seeking issuance of a permit hereunder shall file an application with the Director or his or her designee. The application shall state:
- (1) The name and address of the applicant.
 - (2) The name and address of the person, persons, corporation or association sponsoring the activity, if any.
 - (3) The day and hours for which the permit is desired.
 - (4) The park or portion thereof for which such permit is desired.
 - (5) An estimate of the anticipated attendance.
 - (6) Any other information which the Director shall find reasonably necessary to a fair determination as to whether a permit should issue hereunder.
- G. The Director or his or her designee shall issue a permit hereunder where he finds:
- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
 - (2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.

- (3) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
 - (4) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city.
 - (5) That the facilities desired have not been reserved for other use at the day and hour required in the application.
 - (6) In the case of farmers' markets ~~which are part of the New Jersey Council of Farmers & Communities (NJCFEC)~~, a person a non-profit corporation seeking a permit for same shall, in addition to all other applicable requirements and restrictions in this chapter and Code, obtain any and all applicable prior approvals from state or local government, including but not limited to any food establishment licenses required pursuant to § 175-16 et seq. of this code.
- H. Within five days after receipt of an application, the Director shall apprise an applicant in writing of his or her reasons for refusing a permit, and any aggrieved person shall have the right to appeal in writing within 10 days to the Director, who shall consider the application under the standards set forth in Subsection B hereof and sustain or overrule the decision with 10 days, but no later than two days before the date sought for the permit. The decision of the Director shall be final.
- I. A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in the permit.
- J. The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.
- K. A permit may be revoked upon a finding of violation of any rule or ordinance or upon good cause shown.

§ 239-16. Enforcement.

- A. The Director, the police and park employees shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.
- B. The Director, the police and any park employee shall have the authority to eject from the park any person acting in violation of this chapter.
- C. The Director, the police and any park employee shall have the authority to seize and confiscate any property, thing or device in the park or used in violation of this chapter.

NOW, THEREFORE, BE IT ALSO ORDAINED by the Council of Jersey City that Chapter 160, Section P, shall be amended to read:

P. Chapter 175. Food-Handling Establishments.

- (1) Article I, Dine-Dance Establishments.
NO CHANGE.

(2) Article II, Mobile Food Vendors.
NO CHANGE.

(3) Article III, Food Establishments.
(a) NO CHANGE.

[1]: NO CHANGE.

[2]: NO CHANGE.

[3]: NO CHANGE.

[4]: NO CHANGE.

[5]: NO CHANGE.

[a.] Miscellaneous.
NO CHANGE.

[b.] Flea markets.
NO CHANGE.

[c.] Farmers' markets

(i) Seasonal license
April 1st through December 31st \$150 per location.

(ii) In addition to the seasonal license fee, each food vendor shall pay a fee to the City for each day that the vendor is operating at a farmers market, as follows:

[i] \$10.00 per day of operation for a vendor who sells only foods that are not readily perishable and do not require heating or refrigeration.

[ii] \$15.00 per day of operation for a vendor that sells any foods that are readily perishable and do require heating or refrigeration.

(b) NO CHANGE.

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

Note: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JJH 1/16/15

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐